THIS BOOK
MUST NOT BE REMOVED
FROM THE LIBRARY

UNIVERSITY OF LONDON LIBRARY

REFERENCE ONLY

PARL. PAPERS
FOR REFERENCE ONLY.

Parl. Papers

University of London

Presented by
the Worshipful Company
of Goldsmiths.
1903.

620113

Digitized by the Internet Archive
in 2026

https://archive.org/details/parliamentary-debates_may-16-june-20-1878_240

HANSARD'S
PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

41° VICTORIÆ, 1878.

VOL. CCXL.

COMPRISING THE PERIOD FROM

THE SIXTEENTH DAY OF MAY 1878,

TO

THE TWENTIETH DAY OF JUNE 1878.

Fourth Volume of the Session.

LONDON:
PUBLISHED BY CORNELIUS BUCK,
AT THE OFFICE FOR "HANSARD'S PARLIAMENTARY DEBATES,"
22, PATERNOSTER ROW. [E.C.]

1878.

TABLE OF CONTENTS

TO

VOLUME CCXL.

THIRD SERIES.

LORDS, THURSDAY, MAY 16.

Factories and Workshops Bill (No. 57)—
Bill read 3ª (according to Order) with the Amendments 1
After short debate, Bill *passed,* and sent to the Commons

ARMY RESERVE—ALLOWANCES TO FAMILIES OF RESERVE MEN—ADDRESS FOR CORRESPONDENCE—
Moved, That an humble Address be presented to Her Majesty for recent Correspondence between the War Office and Boards of Guardians or members of Boards of Guardians relative to allowances to wives and children of the Army Reserve men who have been called into active service,"—(*The Earl De La Warr*) 5
After short debate, Motion (by leave of the House) *withdrawn.*

COMMONS, THURSDAY, MAY 16.

PRIVATE BUSINESS.

Dublin, Wicklow, and Wexford Railway Bill (*Lords*) (*by Order*)—
Moved, "That the Bill be now read a second time" 11
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Maurice Brooks.*)
Question proposed, "That the word 'now' stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*
Main Question put, and *agreed to*:—Bill read a second time, and *committed.*

CHESTER TRAMWAYS BILL—
Ordered, That the Chairman of the Select Committee on Standing Orders be appointed Chairman of the Committee on the Chester Tramways Bill,"—(*The Chairman of Ways and Means.*)

QUESTIONS.

Street Traffic—Military Bandsmen—Question, Mr. Biggar; Answer, The Solicitor General 21
Parliament—Liabilities of Employers and Workmen—Legislation—Question, Mr. Puleston; Answer, The Solicitor General .. 22
Parliament — Corrupt Practices Bill — Legislation — Question, Sir Charles W. Dilke; Answer, The Solicitor General 22
Supreme Court of Judicature Act, 1873—Question, Mr. Waddy; Answer, Sir Matthew White Ridley 22
Army Medical Officers — Question, Mr. Meldon; Answer, Colonel Stanley 23
Madras Harbour—Question, Mr. Smollett; Answer, Mr. E. Stanhope .. 24
The Military Forces of the Crown — The Indian Contingent—Question, Sir Alexander Gordon; Answer, Mr. E. Stanhope .. 24
South Kensington Museum — The National Portrait Gallery — Question, Mr. Beresford Hope; Answer, Lord George Hamilton .. 24
Turkey—Murder of Mr. Ogle—Question, Mr. H. Samuelson; Answer, The Chancellor of the Exchequer 25
Post Office—Mail Contracts—Question, Mr. Hopwood; Answer, Sir Henry Selwin-Ibbetson 25
Scotch Business of the House—Question, Dr. Cameron; Answer, The Chancellor of the Exchequer 25
Army—Regimental Lieutenant Colonels — Question, General Shute; Answer, Colonel Stanley 26
Ecclesiastical Salaries (India)—Question, Mr. Baxter; Answer, Mr. E. Stanhope 27
Teachers and School Returns—Question, Mr. P. A. Taylor; Answer, Lord George Hamilton 27
The Paris Exhibition, 1878 — Assistance to English Artizans — Questions, Mr. Meldon; Answers, The Chancellor of the Exchequer, Mr. Lyon Playfair 27
Coal Mines — The Blantyre Colliery Explosion — Question, Mr. Macdonald; Answer, The Lord Advocate 28
Army—The Reserve Forces—Question, Mr. Alderman M'Arthur; Answer, Colonel Stanley 29
County Government Bill — Management of Rivers—Question, Mr. Arthur Peel; Answer, Mr. Sclater-Booth 30
Merchant Shipping—Cardiff Pilots—Question, Mr. Puleston; Answer, Viscount Sandon 30
Diplomatic Appointments — Hon. Colonel Wellesley, Military Attache—Question, Mr. Benett-Stanford; Answer, The Chancellor of the Exchequer 31
Sale of Intoxicating Liquors on Sunday (Ireland) Bill — Question, The O'Conor Don, Answer, The Chancellor of the Exchequer; Questions, Mr. Onslow, Sir Joseph M'Kenna; Answers, The O'Conor Don 32
The Cotton Manufactories—The Wages Dispute—Riots in Lancashire—Questions, Sir Walter B. Barttelot, Mr. Dodds; Answer, Mr. Assheton Cross; Notice of Question, Major O'Gorman .. 33
H.M.S. "Beagle"—Execution of a Native of Tanna—Judicial Powers of Naval Commanders—Questions, Mr. Gorst, Mr. Childers; Answers, Mr. W. H. Smith 35
Registration of Deeds (Ireland)—Report of the Royal Commission—Question, Mr. Osborne Morgan; Answer, The Attorney General for Ireland 35

ORDERS OF THE DAY.

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

The Bethnal Green Museum—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is desirable to give greater facilities for admission to the Bethnal Green Museum, by extending the arrangements now existing on the three free days to five in the week,"—(*Mr. Ritchie,*)—instead thereof 37

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *agreed to.*

The Northern Circuit—Assizes at Manchester—Observations, Mr. Percy Wyndham; Reply, Mr. Assheton Cross:—Short debate thereon 38

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—Civil Service Estimates—

(In the Committee.)

Class II.—Salaries and Expenses of Public Departments.

(1.) Question [May 13] again proposed, "That a sum, not exceeding £376,545, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for Stationery, Printing, Binding, and Printed Books for the several Departments of Government in England, Scotland, and Ireland, and some Dependencies, and for Stationery, Binding, and Printing Paper for the two Houses of Parliament, including the Salaries and Expenses of the Stationery Office" 41

After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Parnell*:)—After further debate, Question put, and *negatived.*

Original Question again proposed:—Motion made, and Question put, "That a sum, not exceeding £105,545, be granted, &c.,"—(*Mr. Parnell*:)—The Committee *divided;* Ayes 20, Noes 123; Majority 103.—(Div. List, No. 134.)

Original Question put, and *agreed to.*

(2.) £19,492, to complete the sum for the Woods, Forests, &c. Office.—After short debate, Vote *agreed to* 82

(3.) Motion made, and Question proposed, "That a sum, not exceeding £33,250, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Office of the Commissioners of Her Majesty's Works and Public Buildings" 90

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £32,791, be granted, &c.,"—(*Mr. Macdonald*:)—After further short debate, Question put:—The Committee *divided;* Ayes 25, Noes 231; Majority 206.—(Div. List, No. 135.)

Original Question again proposed:—*Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. M'Carthy Downing*:)—After short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Resolutions to be reported *To-morrow,* at Two of the clock; Committee to sit again *To-morrow,* at Two of the clock.

Sale of Intoxicating Liquors on Sunday (Ireland) Bill—

Bill *considered* in Committee [*Progress 13th May*] 95

After long time spent therein, Committee report Progress; to sit again upon *Monday* next.

Acknowledgment of Deeds by Married Women (Ireland) Bill [Bill 173]—

Moved, "That the Bill be now read the third time,"—(*Mr. Meldon*) .. 122

Moved, "That the Debate be now adjourned,"—(*Mr. O'Connor Power*:)—After short debate, Question put:—The House *divided;* Aye 1, Noes 79; Majority 78.—(Div. List, No. 137.)

Acknowledgment of Deeds by Married Women (Ireland) Bill—continued.

After further short debate, Motion made, and Question put, "That the Bill be now read the third time:"—The House *divided;* Ayes 77, Noes none.—(Div. List, No. 139:)—Bill *passed.*

Under Secretaries of State Bill—*Ordered* (*Mr. Secretary Cross, The Lord Advocate*); *presented*, and read the first time [Bill 181] 124

Lord Clerk Register (Scotland) Bill—*Ordered* (*Mr. Secretary Cross, The Lord Advocate*); *presented*, and read the first time [Bill 182] 124

LORDS, FRIDAY, MAY 17.

NOXIOUS VAPOURS COMMISSION—THE REPORT—Question, Lord Winmarleigh; Answer, Lord Aberdare 124

CONTAGIOUS DISEASES (ANIMALS) BILL — Observations, The Duke of Somerset; Reply, The Duke of Richmond and Gordon:—Short debate thereon 125

Matrimonial Causes Acts Amendment Bill (No. 60)—

Bill read 3ª (according to Order) with the Amendments 126

After short debate, Bill *passed*, and sent to the Commons.

CHURCH OF ENGLAND—THE PREACHERS IN ST. PAUL'S—Question, Observations, The Earl of Harrowby; Reply, The Bishop of London .. 126

COMMONS, FRIDAY, MAY 17.

PRIVATE BUSINESS.

Waterford, Dungarvan, and Lismore Railway (Extension) Bill (Lords) (by Order)—

Moved, "That the Bill be now read a second time" 128

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Delahunty.*)

Question proposed, "That the word 'now' stand part of the Question:"—After debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Parnell:*)—After further short debate, Motion, by leave, *withdrawn:*—After further short debate, Question put:—The House *divided;* Ayes 222, Noes 76; Majority 146.—(Div. List, No. 140.)

Main Question put, and *agreed to:*—Bill read a second time, and *committed.*

NOTICE OF AMENDMENT.

THE MILITARY FORCES OF THE CROWN—THE INDIAN CONTINGENT—Notice of Amendment to Motion, Sir Michael Hicks-Beach 156

QUESTIONS.

LAW AND JUSTICE—THE POLICE MAGISTRACY—MR. BENSON—Question, Dr. Kenealy; Answer, Mr. Assheton Cross 157

CRIMINAL LAW — RELEASE OF GEORGE BROOMFIELD — Question, Dr. Kenealy; Answer, Mr. Assheton Cross 157

REGISTRY OF DEEDS (IRELAND)—THE ROYAL COMMISSION—Question, Mr. King-Harman; Answer, The Attorney General for Ireland .. 158

[*May* 17.]

Page

COAL MINES—EDDLEWOOD COLLIERY EXPLOSION—Question, Mr. Macdonald; Answer, Mr. Assheton Cross 159
THE COTTON MANUFACTORIES—THE WAGES DISPUTE—THE LANCASHIRE RIOTS—Question, Sir Walter B. Barttelot; Answer, Mr. Assheton Cross 159
THE MILITARY FORCES OF THE CROWN—THE INDIAN CONTINGENT—MOTION OF THE MARQUESS OF HARTINGTON—Question, Mr. E. Jenkins; Answer, The Marquess of Hartington 161

ORDERS OF THE DAY.

* * *

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

HARBOURS (SCOTLAND)—Question, Observations, Viscount Macduff; Reply, Sir Henry Selwin-Ibbetson:—Short debate thereon 162

DIPLOMATIC APPOINTMENTS — APPOINTMENT OF THE HON. COLONEL WELLESLEY, MILITARY ATTACHE AT VIENNA—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House disapproves of the appointment of Colonel Wellesley, of the Coldstream Guards, to the post of First Secretary of Embassy at Vienna, over the heads of a large number of old and competent diplomatic servants,—(*Mr. Benett-Stanford*,)—instead thereof 169

Question proposed, "That the words proposed to be left out stand part of the Question:" — After debate, Question put: — The House *divided;* Ayes 250, Noes 83; Majority 167.—(Div. List, No. 141.)

Main Question proposed, "That Mr. Speaker do now leave the Chair:"—Motion, by leave, *withdrawn:*—Committee *deferred* till *this day.*

The House suspended its Sitting at Seven of the clock.

The House resumed its sitting at Nine of the clock.

[House counted out.]

LORDS, MONDAY, MAY 20.

THE MILITARY FORCES OF THE CROWN—EMPLOYMENT OF INDIAN TROOPS—Observations, Lord Selborne; Reply, The Lord Chancellor:—Debate thereon 187

COMMONS, MONDAY, MAY 20.

PUBLIC PETITIONS.

* * *

PUBLIC PETITIONS COMMITTEE—Special Report *brought up*, and read .. 254
Report to lie upon the Table, and to be *printed* [No. 188.]

QUESTIONS.

* * *

MILITARY AND NAVAL EXPENDITURE—Question, Mr. Rylands; Answer, The Chancellor of the Exchequer 254
CRETE—Question, Mr. Evelyn Ashley; Answer, The Chancellor of the Exchequer 255
CHARGE OF ARSON—Question, Mr. Isaac; Answer, Mr. Assheton Cross .. 255

[*May* 20.] *Page*

Ordnance Survey—Question, Mr. Williams Wynn; Answer, Mr. Gerard Noel 256
Contracts for Watering the Streets—Question, Mr. Beckett-Denison; Answer, Sir James M'Garel Hogg 257
Locomotive Accident near Leeds—Question, Mr. Barran; Answer, Mr. Assheton Cross 257
South Africa—Question, Mr. Alexander M'Arthur; Answer, Sir Michael Hicks-Beach 258
Retirement from the Army—Question, Colonel Naghten; Answer, Colonel Stanley 258
Gray's Inn Road—Question, Mr. J. G. Hubbard; Answer, Mr. Assheton Cross 258
Evangelical Dissenters in Russia—Question, Captain Pim; Answer, The Chancellor of the Exchequer 259
The Chefoo Convention—Question, Mr. Alderman W. M'Arthur; Answer, The Chancellor of the Exchequer 260
Grocers' Licences in Scotland—Question, Sir Robert Anstruther; Answer, Mr. Assheton Cross 261
Madagascar—Question, Mr. Alexander M'Arthur; Answer, The Chancellor of the Exchequer 261
The Reserves—Question, Mr. Pell; Answer, Mr. Sclater-Booth .. 261
The Solway Commissioners—Question, Mr. Percy Wyndham; Answer, Mr. Assheton Cross 262
Disturbances in Ireland—Question, Mr. M'Carthy Downing; Answer, The Attorney General for Ireland 262
Malta—Question, Sir George Bowyer; Answer, Sir Michael Hicks-Beach 263

Orders of the Day—

Ordered, That the Orders of the Day be postponed until after the Notice of Motion relating to the Military Forces of the Crown,—(*Mr. Chancellor of the Exchequer.*)

MOTIONS.

The Military Forces of the Crown—Resolution—

Moved, "That, by the Constitution of this Realm, no Forces may be raised or kept by the Crown in time of peace, without the consent of Parliament, within any part of the Dominions of the Crown, excepting only such Forces as may be actually serving within Her Majesty's Indian Possessions,"—(*The Marquess of Hartington*) .. 264

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, being of opinion that the constitutional control of Parliament over the raising and employment of the Military Forces of the Crown is fully secured by the provisions of the Law, and by the undoubted power of this House to grant or refuse Supplies, considers it to be unnecessary and inexpedient to affirm any Resolution tending to weaken the hands of Her Majesty's Government in the present state of Foreign affairs,"—(*Sir Michael Hicks-Beach,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Fawcett:*)—Motion *agreed to:*—Debate *adjourned* till *To-morrow.*

ORDERS OF THE DAY.

Supply—Report—Resolutions [16th March] reported 348

First Resolution read a second time.

Amendment proposed, to leave out "£376,545," in order to insert £105,545,"—(*Mr. Parnell,*)—instead thereof.

SUPPLY—REPORT—*continued.*

Question put, "That '£376,545' stand part of the said Resolution."
The House *divided;* Ayes 115, Noes 13; Majority 102.—(Div. List, No. 142.)
Resolution *agreed to:*—Subsequent Resolutions *agreed to.*

LORDS, TUESDAY, MAY 21.

NAVY—FOUNDERING OF H.M.S. "EURYDICE"—Question, Earl De La Warr; Answer, Lord Elphinstone 349

Contagious Diseases (Animals) Bill (No. 76)—
House in Committee (on Re-commitment) (according to Order) .. 350
Amendments made; the Report thereof to be received on *Thursday* next; and Bill to be *printed,* as amended. (No. 88.)

ARMY EXAMINATIONS—RIDING AND ATHLETICS—Question, Observations, Viscount Hardinge 351

ARMY—COMPETITIVE EXAMINATIONS FOR COMMISSIONS—Question, Observations, Earl Fortescue, Lord Hampton; Reply, Viscount Bury; Observations, The Marquess of Lansdowne 352

COMMONS, TUESDAY, MAY 21.

QUESTIONS.

RUSSIA — PURCHASE AND EQUIPMENT OF PRIVATEERS — Question, Mr. Gourley; Answer, The Attorney General 357

BORNEO—Question, Mr. Ernest Noel; Answer, The Chancellor of the Exchequer 358

GRAND JURY LAW AMENDMENT (IRELAND) BILL—Question, Mr. M'Carthy Downing; Answer, Mr. J. Lowther 358

ARMY — VOLUNTEER ARTILLERY ADJUTANTS—Question, Colonel Makins; Answer, Colonel Stanley 359

STRAITS SETTLEMENTS—THE PERAK EXPEDITION ALLOWANCES—Question, Mr. Serjeant Simon; Answer, Colonel Stanley 359

PARLIAMENT—BUSINESS OF THE HOUSE—Postponement of Motions, Mr. W. Holms, Mr. A. Moore, Mr. Parnell, Mr. O'Donnell .. 360

ORDERS OF THE DAY.

THE MILITARY FORCES OF THE CROWN — Adjourned Debate. [Second Night.]
Order read, for resuming Adjourned Debate on Amendment proposed to Question [20th May]: — Question again proposed: — Debate *resumed* 362
After long debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Assheton Cross:*)—Motion *agreed to:*—Debate *further adjourned* till *Thursday.*

Sale of Intoxicating Liquors on Sunday (Ireland) Bill—
Bill *considered* in Committee [*Progress* 16*th May*] 438
After some time spent therein, Committee report Progress; to sit again upon *Friday.*

COMMONS, WEDNESDAY, MAY 22.

Page

ORDERS OF THE DAY.

Rating of Towns (Ireland) Bill [Bill 8]—

Moved, "That the Bill be now read a second time,"—(*Mr. O'Shaughnessy*) 448

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Mulholland.*)

Question proposed, "That the word 'now' stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 177, Noes 224; Majority 47.—(Div. List, No. 144.)

Words *added*:—Main Question, as amended, put, and *agreed to*:—Second Reading *put off* for six months.

Contagious Diseases Acts Repeal Bill [Bill 59]—

Order for Second Reading read 474

After short debate, Notice being taken, That Strangers were present,—(*Mr. Arthur Moore.*)

Mr. Speaker stated, that it was his intention to follow the course which he had previously taken on similar occasions, and forthwith put the Question, "That Strangers be ordered to withdraw?"—The House proceeded to a Division, whereupon Mr. Speaker called upon Mr. Moore to name a second Teller for the Ayes.—The honourable Member having stated that he was unable to do so, Mr. Speaker declared that the Noes had it.

Moved, "That the Bill be now read a second time,"—(*Sir Harcourt Johnstone.*)

After short debate, it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

Linen and Hempen Manufactures (Ireland) Bill—*Considered* in Committee:—Resolution *agreed to*, and *reported*:—Bill *ordered* (*Mr. James Lowther, Mr. Attorney General for Ireland*); *presented*, and read the first time [Bill 184] 491

LORDS, THURSDAY, MAY 23.

Church of England — The Preachers in St. Paul's—Observations, Question, The Earl of Harrowby; Answer, The Bishop of London .. 491

COMMONS, THURSDAY, MAY 23.

ORDER OF THE DAY.

Metropolis Waterworks (Purchase) Bill [Bill 58]—

Order for resuming Adjourned Debate on Amendment on Second Reading [12th March] read, and *discharged*:—Bill *withdrawn* 493

QUESTIONS.

Poor Law — Roman Catholic Nurses in Workhouses—Question, Mr. O'Shaughnessy; Answer, Mr. Sclater-Booth 493

Post Office—Dover and Calais Mail Contract—Question, Sir William Fraser; Answer, Sir Henry Selwin-Ibbetson 494

SALE OF FOOD AND DRUGS ACT, 1875—SCOTLAND—Question, Mr. W. Holms; Answer, The Lord Advocate 495

MILITARY FORCES OF THE CROWN—THE INDIAN CONTINGENT—Withdrawal of Notice, Mr. Hussey Vivian 496

ARMY—SIEGE GUNS—Question, Major Nolan; Answer, Lord Eustace Cecil 496

PUBLIC HEALTH (IRELAND) BILL—Question, Major Nolan; Answer, The Attorney General for Ireland 496

POLICE SUPERANNUATION FUND (SCOTLAND)—Question, Mr. J. Stewart; Answer, The Lord Advocate 497

INDIA — NATIVE INDIAN FORCES — TERMS OF SERVICE — Question, Sir Alexander Gordon; Answer, Mr. E. Stanhope 498

BUSINESS OF THE HOUSE—THE WHITSUNTIDE RECESS—Notice of Question, Mr. Dillwyn; Question, The Marquess of Hartington; Answer, The Chancellor of the Exchequer 498

ORDERS OF THE DAY.

THE MILITARY FORCES OF THE CROWN—Adjourned Debate. [Third Night]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [20th May]:—Question again proposed:—Debate resumed 499

After long debate, Question put:—The House *divided;* Ayes 226, Noes 347; Majority 121.

Div. List, Ayes and Noes 610

Words *added:*—Main Question, as amended, put, and *agreed to.*

SUPPLY—

Considered in Committee.

(In the Committee.)

Resolved, That a sum, not exceeding £1,500,000, be granted to Her Majesty, to pay off and discharge Exchequer Bonds that will become due and payable during the year ending on the 31st day of March 1879.

Resolution to be reported *To-morrow;* Committee to sit again *To-morrow.*

WAYS AND MEANS—

Considered in Committee.

(In the Committee.)

(1.) *Resolved,* That, towards raising the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorised to raise any sum of money, not exceeding £1,500,000, by an issue of Exchequer Bonds.

(2.) *Resolved,* That the Principal of all Exchequer Bonds which may be so issued shall be paid off at par, at any period not exceeding three years from the date of such Bonds.

(3.) *Resolved,* That the Interest of such Exchequer Bonds shall be payable half-yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.

(4.) *Resolved,* That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1879, the sum of £6,500,000 be granted out of the Consolidated Fund of the United Kingdom.

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

LORDS, FRIDAY, MAY 24.

PARLIAMENT — THE WHITSUNTIDE RECESS — Observation, The Earl of Beaconsfield 615

Medical Act, 1858, Amendment Bill (No. 44)—

Moved, "That the House be now put into Committee on the said Bill,"—(*The Lord President*) 615

Medical Act, 1858, *Amendment Bill*—continued.

After short debate, House in Committee accordingly :—Bill *reported*, without Amendment ; Amendments made : Bill *re-committed* to a Committee of the Whole House, and to be *printed*, as amended. (No. 90.)

CRIME IN IRELAND—RETURNS—Question, Lord Oranmore and Browne ; Answer, The Duke of Richmond and Gordon 618

Acknowledgment of Deeds by Married Women (Ireland) Bill (No. 87)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Belmore*) .. 618

Motion *agreed to* :—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

COMMONS, FRIDAY, MAY 24.

QUESTIONS.

NAVY—WRITERS IN THE DOCKYARDS—Question, Mr. E. J. Reed ; Answer, Mr. W. H. Smith 620

PARLIAMENT — BUSINESS OF THE HOUSE—THE WHITSUNTIDE RECESS—Question, Mr. Dillwyn ; Answer, The Chancellor of the Exchequer .. 620

NAVY—H.M.S. "BEAGLE"—EXECUTION OF A NATIVE OF TANNA—JUDICIAL POWERS OF NAVAL COMMANDERS—Question, Dr. Kenealy ; Answer, Mr. W. H. Smith 621

CRIMINAL LAW — CASE OF JOHN HENNAFAN — Question, Dr. Kenealy ; Answer, Mr. Assheton Cross 621

CRIMINAL LAW — THE REV. MR. DODWELL — Question, Dr. Kenealy ; Answer, Mr. Assheton Cross 622

PARLIAMENT—FRANCHISE OF THE RESERVE MEN—Question, Mr. Elliot ; Answer, The Attorney General 622

MERCHANT SHIPPING—DYNAMITE, &c.—Question, Mr. M'Lagan ; Answer, Sir Henry Selwin-Ibbetson 623

THE MILITARY FORCES OF THE CROWN — THE INDIAN CONTINGENT — Questions, Mr. Waddy, Mr. Fawcett, Mr. Childers, Sir H. Drummond Wolff, Mr. Mundella ; Answers, Mr. E. Stanhope, The Chancellor of the Exchequer, Mr. E. Jenkins, Mr. W. H. Smith 623

PUBLIC BUSINESS—COUNTY COURTS BILL—VALUATION BILL—Question, Mr. J. G. Hubbard ; Answer, Mr. Sclater-Booth 625

PRISONS ACT, 1877—RULES AS TO DEBTORS—Question, Mr. E. Jenkins ; Answer, Mr. Assheton Cross 626

ARMY—RIFLED ORDNANCE—Question, Major O'Beirne ; Answer, Lord Eustace Cecil 626

POOR LAW—REMOVAL OF IRISH PAUPERS—THOMAS JOHNSON—Question, Mr. R. Power ; Answer, Mr. Sclater-Booth 626

IRELAND—THE COLLECTOR OF RATES OFFICE, DUBLIN—THE REPORT—Question, Mr. M. Brooks ; Answer, Mr. J. Lowther 627

ORDERS OF THE DAY.

SUPPLY—Order for Committee read ; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair :"—

PROBATE, LEGACY, AND SUCCESSION DUTIES—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the present system of taxing the succession to property is partial and unjust, and, in the opinion of this House, ought to be re-adjusted,"—(*Mr. James Barclay*,)—instead thereof 627

SUPPLY—Order for Committee read—*continued.*

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 150, Noes 107; Majority 43.—(Div. List, No. 146.)

LUNATIC ASYLUMS (IRELAND)—THE GOVERNOR OF LIMERICK ASYLUM—Observations, Mr. Butt; Reply, Mr. J. Lowther:—Short debate thereon 640

PARLIAMENT—PRIVILEGES OF MEMBERS—Observations, Dr. Kenealy; Reply, Mr. Speaker:—Short debate thereon 643

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES—

(In the Committee.)

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

(1.) Motion made, and Question proposed, "That a sum, not exceeding £20,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for Her Majesty's Foreign and other Secret Services" 657

Motion made, and Question proposed, "That a sum, not exceeding £10,000, be granted, &c."—(*Mr. Parnell:*)—After debate, Question put:—The Committee *divided;* Ayes 34, Noes 49; Majority 15.—(Div. List, No. 147.)

Original Question put, and *agreed to.*

(2.) Motion made, and Question proposed, "That a sum, not exceeding £5,390, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Department of the Queen's and Lord Treasurer's Remembrancer in Exchequer, Scotland, of certain Officers in Scotland, and other Charges formerly on the Hereditary Revenue" .. 667

Motion made, and Question proposed, "That the Item of £97, for the Salary of Her Majesty's Limner, be omitted from the proposed Vote,"—(*Mr. O'Donnell.*)—After short debate, Motion, by leave, *withdrawn.*

Original Question again proposed:—After short debate, Motion made, and Question proposed, "That the Item of £600 for the Salary of the Secretary to the Bible Board be omitted from the proposed Vote,"—(*Mr. Biggar*) 674

After further short debate, Motion, by leave, *withdrawn.*

Original Question again proposed:—Motion made, and Question proposed, "That the Item of £240 for the Salary of the Law Agent to the Bible Board be omitted from the proposed Vote,—(*Mr. Biggar*) 675

After short debate, Motion, by leave, *withdrawn.*

Original Question again proposed:—After short debate, Motion made, and Question proposed, "That the Item of £99, for Queen's Plates to be run for at Edinburgh, be omitted from the Vote,"—(*Major O'Beirne*) 678

After further short debate, Question put:—The Committee *divided;* Ayes 25, Noes 94; Majority 69.—(Div. List, No. 148.)

Original Question put, and *agreed to.*

(3.) Motion made, and Question proposed, "That a sum, not exceeding £10,848, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Fishery Board in Scotland" .. 682

After short debate, *Moved,* "That the Vote be disallowed,"—(*Mr. J. W. Barclay:*)—After further short debate, Motion, by leave, *withdrawn.*

Original Question again proposed:—After short debate, Motion made, and Question proposed, "That a sum, not exceeding £7,848, be granted, &c.,"—(*Mr. Parnell*) 691

After debate, Question put:—The Committee *divided;* Ayes 10, Noes 142; Majority 132.—(Div. List, No. 149.)

Original Question put, and *agreed to.*

Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

Sale of Intoxicating Liquors on Sunday (Ireland) Bill—

Bill *considered* in Committee [*Progress 21st May*] 703

After long time spent therein, Committee report Progress; to sit again upon *Wednesday* next.

Ways and Means—
Exchequer Bonds (No. 2) Bill— }
Resolutions [May 23] *reported*, and *agreed to* : — Bill *ordered* to be brought in upon the first three Resolutions (*Mr. Raikes, Mr. Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson*); *presented*, and read the first time [Bill 186.]

Consolidated Fund (No. 3) Bill—Resolution [May 23] *reported*, and *agreed to* :—Bill *ordered* to be brought in upon the Fourth Resolution (*Mr. Raikes, Mr. Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson*); *presented*, and read the first time.

LORDS, MONDAY, MAY 27.

The Eastern Question — Negotiations for a Congress — Question, Viscount Cardwell; Answer, The Marquess of Salisbury; Observations, The Earl of Redesdale 721

Contagious Diseases (Animals) Bill (Nos. 22, 37, 76, 88)—
House in Committee (on Second Re-commitment) 722
Amendments made; the Report thereof to be received *To-morrow*.

COMMONS, MONDAY, MAY 27.

QUESTIONS.

Parliament — Members for the Scottish Universities—Expenses of Election—Question, Mr. Lyon Playfair; Answer, Mr. Assheton Cross 739
Navy—H.M.S. "Beagle"—Execution of a Native of Tanna—Judicial Powers of Naval Commanders — Question, Sir Charles W. Dilke; Answer, Mr. Bourke 740
Post Office—United States Telegraph System—Question, Mr. Lyon Playfair; Answer, Sir Henry Selwin-Ibbetson 740
Poor Law (Ireland)—Pauper Children in Cork Industrial Schools—Questions, Mr. M'Carthy Downing; Answer, Mr. J. Lowther .. 741
Army (India) — Retiring Captains — Question, Colonel Arbuthnot; Answer, Colonel Stanley 742
Lunatic Asylums—Post-Mortem Examinations—Question, Mr. P. A. Taylor; Answer, Mr. Assheton Cross 742
Sale of Food and Drugs Act—Sale of Spirits under Proof—Question, Sir Frederick Perkins; Answer, Mr. Sclater-Booth 743
India—The Recent Famine—Question, Mr. B. Potter; Answer, Mr. E. Stanhope 744
Army (India)—The 31st Native Infantry—Question, Mr. O'Donnell; Answer, Mr. E. Stanhope 744
The Military Forces of the Crown — The Indian Contingent — Expenses—Question, Mr. Fawcett; Answer, The Chancellor of the Exchequer 745
Education (Scotland) Bill—Question, Mr. Mark Stewart; Answer, The Chancellor of the Exchequer 745
Indo-European Troops in Malta—Question, Major Nolan; Answer, Mr. E. Stanhope 746
The Wages Question—Sheffield Magistrates—Questions, Mr. Macdonald; Answers, Mr. Assheton Cross 746
Tramways—Use of Mechanical Power—Question, Mr. Wheelhouse; Answer, Viscount Sandon 747
The Military Forces of the Crown—The Indian Contingent—Question, Mr. Dillwyn; Answer, Mr. Fawcett 747
Turkey—The Eastern Question—The Congress—Question, The Marquess of Hartington; Answer, The Chancellor of the Exchequer .. 748

ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

COST OF THE INDIAN TROOPS—MOTION FOR A SELECT COMMITTEE—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the cost, direct and indirect, of Her Majesty's Indian Troops serving beyond the old Indian limits east of the Cape of Good Hope,"—(*Sir George Campbell*,)—instead thereof .. 748

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *agreed to.*

THE EASTERN QUESTION—POLICY OF THE GOVERNMENT—THE INDIAN CONTINGENT—Observations, Mr. Rylands:—Debate thereon .. 762

Main Question, "That Mr. Speaker do now leave the Chair, put:"—The House *divided;* Ayes 214, Noes 40; Majority 174.—(Div. List, No. 154.)

SUPPLY—*considered* in Committee—ARMY SUPPLEMENTARY ESTIMATE FOR NATIVE INDIAN TROOPS—

(In the Committee.)

(1.) £350,000, Native Indian Troops.—After short debate, Vote *agreed to* .. 802

NAVY SUPPLEMENTARY ESTIMATE.

(2.) £398,000, Transport of Native Indian Troops.—After short debate, Vote *agreed to* 805

CIVIL SERVICE ESTIMATES.

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

(3.) £4,754, to complete the sum for the Lunacy Commission, Scotland.—After short debate, Vote *agreed to* 812

(4.) £5,654, to complete the sum for the Registrar General's Office, Scotland.

(5.) Motion made, and Question proposed, "That a sum, not exceeding £15,618, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Board of Supervision for Relief of the Poor and for Public Health and Vaccination Act, including certain Grants in aid of Local Taxation in Scotland" 814

After short debate, *Moved*, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. James Barclay*:)—Question put, and *negatived.*

After further short debate, Original Question put, and *agreed to.*

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

Conway Bridge (Composition of Debt) Bill [Bill 150]—

Moved, "That the Bill be now read a second time,"—(*Sir Henry Selwin-Ibbetson*) 820

After short debate, Motion *agreed to:*—Bill read a second time, and *committed* for *Thursday.*

Under Secretaries of State Bill [Bill 181]—

Moved, "That the Bill be now read a second time,"—(*Sir Henry Selwin-Ibbetson*) 821

After short debate, Motion *agreed to:*—Bill read a second time, and *committed* for *Monday* next.

GOLD AND SILVER HALL MARKING—

Select Committee *nominated:*—List of the Committee 824

TABLE OF CONTENTS.

LORDS, TUESDAY, MAY 28.

Page

Public Health Act (1875) Amendment Bill (No. 85)—
Moved, "That the Bill be now read 2^{a},"—(*The Earl of Kimberley*) .. 825
After short debate, Motion *agreed to*:—Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

Metropolis Management and Building Acts Amendment Bill (No. 75)—
Moved, "That the Bill be now read 2^{a},"—(*The Viscount Midleton*) .. 826
Motion *agreed to*:—Bill read 2^{a} accordingly, and *referred* to a Select Committee; the Committee to be proposed by the Committee of Selection.

Bills of Sale Bill (No. 80)—
Moved, "That the Bill be now read 2^{a},"—(*The Lord Selborne*) .. 827
Motion *agreed to*:—Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Tuesday* the 18*th of June* next.

Contagious Diseases (Animals) Bill (Nos. 22, 37, 76, 88)—
Amendments *reported* (according to Order) 827
Bill to be read 3^{a} on *Friday* next.

Arm—The Auxiliary Forces—The Militia—Motion for a Return—
Moved, That an humble Address be presented to Her Majesty for Return of the number of effectives in the Auxiliary Forces at the beginning of the financial year,—(*The Lord Stratheden and Campbell*) 828
After short debate, Motion (by leave of the House) *withdrawn*.

COMMONS, TUESDAY, MAY 28.

QUESTIONS.

Criminal Law—Case of Thomas Griffiths—Question, Mr. P. A. Taylor; Answer, Mr. Assheton Cross 832
Grantham County Court—Case of Margaret Carroll — Question, Mr. P. A. Taylor; Answer, Mr. Assheton Cross 833
Dominion of Canada—Canada Temperance Bill—Question, Sir Alexander Gordon; Answer, Sir Michael Hicks-Beach 833
Merchant Shipping Act, 1854—The Port of Cardiff—Question, Mr. Puleston; Answer, Viscount Sandon 834
The Charlton Charity—Question, Mr. Errington; Answer, The Attorney General for Ireland 835
Parliament—Business of the House—Contagious Diseases (Animals) Bill—Question, Mr. W. E. Forster; Answer, The Chancellor of the Exchequer 835
Parliament — Business of the House—County Government Bill—Question, Mr. Knatchbull-Hugessen; Answer, The Chancellor of the Exchequer 835
Business of the House—Irish University Education—Observations, Major Nolan 836
Moved, "That this House do now adjourn,"—(*Major Nolan*:)—After short debate, Motion, by leave, *withdrawn*.

MOTIONS.

Elementary Education (New Code)—Motion for an Address—
Moved, "That an humble Address be presented to Her Majesty, praying Her Majesty to be graciously pleased to direct the amendment of the New Code of Regulations of the Committee of the Privy Council on Education, by the omission of Article 'b' of section 7 of the said Code,"—(*Mr. Pease*) 842
After short debate, Motion, by leave, *withdrawn*.

[*May* 28.] *Page*

PARLIAMENTARY REPORTING—MOTION FOR A SELECT COMMITTEE—

Moved, "That a Select Committee be appointed, 'to consider the question of Parliamentary Reporting,' "—(*Mr. Chancellor of the Exchequer*) 853

Motion *agreed to*.

Select Committee *appointed* :—List of the Committee 854

Epping Forest Bill—

Motion for Leave (*Sir Henry Selwin-Ibbetson*) 854

After short debate, Motion *agreed to* :—Bill for the disafforestation of Epping Forest, and the preservation and management of the uninclosed parts thereof as an open space for the recreation and enjoyment of the public; and for other purposes, *ordered* (*Sir Henry Selwin-Ibbetson, Mr. Noel*)

Inclosure Provisional Order (Llanfair Waterdine) Bill—*Ordered* (*Sir Matthew Ridley, Mr. Secretary Cross*) 857

Inclosure Provisional Order (Orford) Bill—*Ordered* (*Sir Matthew Ridley, Mr. Secretary Cross*) 857

ORDER OF THE DAY.

Hypothec (Scotland) Bill [Bill 29]—

Order for Second Reading read 857

[House counted out.]

COMMONS, WEDNESDAY, MAY 29.

ORDER OF THE DAY.

County Infirmaries, &c. (Ireland) Bill [Bill 7]—

Moved, "That the Order for the Second Reading be postponed to the 19th June,"—(*Mr. Meldon*) 858

Moved, "That the Order be discharged,"—(*Mr. O'Sullivan* :)—After short debate, Amendment, by leave, *withdrawn* :—Second Reading *deferred* till *Wednesday*, 19th June.

MOTION.

COMMITTEES—

Ordered, That Committees shall not sit To-morrow, being Ascension Day, until Two of the clock, and have leave to sit until Six of the clock, notwithstanding the sitting of the House,—(*Sir Henry Selwin-Ibbetson.*)

ORDERS OF THE DAY.

Sale of Intoxicating Liquors on Sunday (Ireland) Bill—

Bill *considered* in Committee [*Progress 24th May*] 860

After long time spent therein, Committee report Progress; to sit again *To-morrow*.

WAYS AND MEANS—

Considered in Committee.

(In the Committee.)

Resolved, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1879, the sum of £1,000,000 be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported *To-morrow* ; Committee to sit again upon *Friday*.

Medical Act (1858) Amendment (No. 2) Bill—*Ordered* (*Mr. Arthur Mills, Mr. Childers, Mr. Goldney*); *presented*, and read the first time [Bill 196] .. 925

COMMONS, THURSDAY, MAY 30.

Page

QUESTIONS.

PAROCHIAL CHARITIES OF THE CITY OF LONDON — THE COMMISSION — Question, Mr. Fawcett; Answer, Mr. Assheton Cross 926

LUNACY COMMISSION (SCOTLAND)—THE VACANCY—Question, Mr. M'Laren; Answer, The Lord Advocate 926

CHURCH OF SCOTLAND—OPENING OF THE GENERAL ASSEMBLY—Question, Sir George Campbell; Answer, Mr. Assheton Cross 927

PUBLIC HEALTH—ADULTERATION OF BEER AT MAIDSTONE—Question, Mr. Wykeham Martin; Answer, Mr. Sclater-Booth 927

PERSIA — VISIT OF THE SHAH — Question, Lord Edmond Fitzmaurice; Answer, Mr. Bourke 928

SOUTH AFRICA — THE CAPE — TELEGRAPHIC COMMUNICATION — Question, Colonel Mure; Answer, Sir Michael Hicks-Beach 928

THE TURKISH LOAN OF 1855—Questions, Mr. Dodson; Answers, The Chancellor of the Exchequer 929

SCOTLAND — THE BOTANIC GARDENS, EDINBURGH — Question, Mr. Lyon Playfair; Answer, Mr. Gerard Noel 930

PARLIAMENT—BUSINESS OF THE HOUSE—Question, Mr. O'Clery; Observations, Mr. Butt; Reply, The Chancellor of the Exchequer; Questions, Mr. A. Moore, Mr. Eyton; Answers, The O'Conor Don, The Attorney General 930

ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

DISCUSSIONS ON THE ESTIMATES — Observations, Mr. Dillwyn:—Short debate thereon 933

Motion, "That Mr. Speaker do now leave the Chair," *agreed to.*

SUPPLY—*considered* in Committee—CIVIL SERVICES AND REVENUE DEPARTMENTS, FURTHER VOTE ON ACCOUNT.

(In the Committee.)

"(1.) That a further sum, not exceeding £2,040,710, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1879:—[Then the several Classes set forth] 839

CLASS III.—LAW AND JUSTICE.

(2.) £54,505, to complete the sum for Law Charges.—After short debate, Vote *agreed to* 940

(3.) £138,097, to complete the sum for Criminal Prosecutions, Sheriffs' Expenses, &c.—After short debate, Vote *agreed to* 943

(4.) Motion made, and Question proposed, "That a sum, not exceeding £133,210, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for such of the Salaries and Expenses of the Chancery Division of the High Court of Justice, of the Court of Appeal, and of the Supreme Court of Judicature, as are not charged on the Consolidated Fund" 952

After debate, Motion made, and Question proposed, "That the item of £6,821, for Salaries of Official Referees, be reduced by the sum of £3,000,"—(*Mr. O'Donnell*:)—After further short debate, Question put, and *negatived.*

Original Question again proposed:—After short debate, Original Question put, and *agreed to.*

(5.) £47,440, to complete the sum for the Queen's Bench, Common Pleas, and Exchequer Divisions of the High Court of Justice.—After short debate, Vote *agreed to* 968

(6.) £70,274, to complete the sum for the Probate, &c., Registries of the High Court of Justice.

SUPPLY—CIVIL SERVICES AND REVENUE DEPARTMENTS, FURTHER VOTE ON ACCOUNT—Committee—*continued.*

(7.) £10,044, to complete the sum for the Admiralty Registry of the High Court of Justice.—After short debate, Vote *agreed to* 969

(8.) £8,142, to complete the sum for the Wreck Commission.

(9.) £28,945, to complete the sum for the London Bankruptcy Court.—After short debate, Vote *agreed to* 972

(10.) £326,527, to complete the sum for County Courts.—After short debate, Vote *agreed to* 973

(11.) Motion made, and Question proposed, "That a sum, not exceeding £4,068, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Office of Land Registry" .. 980

Motion made, and Question proposed, "That a sum, not exceeding £1,068, be granted, &c.,"—(*Mr. Whitwell*:—After short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(12.) Motion made, and Question proposed, "That a sum, not exceeding £10,884, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Police Courts of London and Sheerness" 989

After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. O'Connor Power*:)—After further short debate, Question put, and *negatived.*

Original Question put, and *agreed to.*

(13.) £295,190, to complete the sum for the Metropolitan Police.—After short debate, Vote *agreed to* 996

(14.) £870,948, to complete the sum for Police Counties and Boroughs (Great Britain.)—After short debate, Vote *agreed to* 996

(15.) Motion made, and Question proposed, "That a sum, not exceeding £332,118, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Superintendence of Convict Establishments, and for the Maintenance of Convicts in Convict Establishments in England and the Colonies" 1001

Motion made, and Question proposed, "That a sum, not exceeding £331,518 be granted, &c.,"—(*Mr. Parnell*:)—After short debate, Question put:—The Committee *divided;* Ayes 14, Noes 208; Majority 194.—(Div. List, No. 157.)

Original Question again proposed:—After short debate, Motion made, and Question put, "That a sum, not exceeding £331,668, be granted, &c.,"—(*Mr. Parnell*:)—The Committee *divided;* Ayes 18, Noes 213; Majority 195.—(Div. List, No. 158.)

Original Question put, and *agreed to.*

(16.) £365,409, to complete the sum for Prisons, England.

(17.) £28,037, to complete the sum for County Prisons, &c. (Great Britain.)—After short debate, Vote *agreed to* 1008

(18.) Motion made, and Question proposed, "That a sum, not exceeding £183,665, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Expense of the Maintenance of Juvenile Offenders in Reformatory, Industrial, and Day Industrial Schools in Great Britain, and of the Inspectors of Reformatories" 1012

Motion made, and Question proposed, "That the Item of £103,000 for Industrial Schools, England, be reduced by the sum of £7,000,"—(*Mr. William Holms*:)—After short debate, Motion, by leave, *withdrawn.*

After further short debate, Original Question put, and *agreed to.*

(19.) £19,456, to complete the sum for Broadmoor Criminal Lunatic Asylum.—After short debate, Vote *agreed to* 1018

(20.) £18,690, to complete the sum for Revising Barristers, England.

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

Sale of Intoxicating Liquors on Sunday (Ireland) Bill—

Bill *considered* in Committee [*Progress 29th May*] 1020

After short time spent therein, Bill *reported;* as amended, to be considered upon *Monday,* 17th June.

Tenant Right (Ireland) Bill [Bill 31]—

Bill *considered* in Committee 1032

Committee report Progress; to sit again upon *Tuesday* next.

WAYS AND MEANS—

Resolution [May 29] *reported,* and *agreed to.*

Instruction to the Committee on the Consolidated Fund (No. 3) Bill, That they have power to make provision therein pursuant to the said Resolution.

TABLE OF CONTENTS.

LORDS, FRIDAY, MAY 31.

Page

THE GERMAN NAVY—DESTRUCTION OF THE IRON-CLAD "DER GROSSER KURFÜRST"—Question, Earl De La Warr, Answer, Lord Elphinstone 1033

THE LATE EARL RUSSELL—Question, Observations, Earl Granville; Reply, The Earl of Beaconsfield 1033

Telegraphs Bill (No. 77)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 1034

Motion *agreed to:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

Truro Bishopric Bill [H.L.]—*Presented* (*The Lord Bishop of London*); read 1ª. (No. 103) 1035

PRIVATE BILLS—

Ordered, That the time for the Second Reading of any Private Bill brought from the House of Commons, limited by the Order of the 4th day of February last to the 11th day of June next, be extended to the 18*th day of June* next.

COMMONS, FRIDAY, MAY 31.

QUESTIONS.

NAVY—NAVIGATING OFFICERS—Question, Mr. Sampson Lloyd; Answer, Mr. W. H. Smith 1035

COMMISSIONERS OF NATIONAL EDUCATION (IRELAND)—AGRICULTURAL MODEL SCHOOLS—Question, Mr. Richard Power; Answer, Mr. J. Lowther .. 1036

INDIA—THE FINANCIAL STATEMENT—Question, Mr. Arthur Mills; Answer, Mr. E. Stanhope 1036

ADMIRALTY AND WAR OFFICE RE-ORGANIZATION BILL—CLERKS OF ROYAL ENGINEER DEPARTMENT—Question, Sir Henry Havelock; Answer, Sir Henry Selwin-Ibbetson 1037

THE GERMAN NAVY—DESTRUCTION OF THE IRON-CLAD "DER GROSSER KURFÜRST"—Question, Captain Pim; Answer, Mr. W. H. Smith .. 1037

ORDER OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

UNIVERSITY EDUCATION (IRELAND)—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the present condition of University Education in Ireland is most unsatisfactory, and demands the immediate attention of Parliament with the view of extending more generally and equally the benefits of such education,"—(*The O'Conor Don,*)—instead thereof 1038

Question proposed, "That the words proposed to be left out stand part of the Question:"—*Moved,* "That this House do now adjourn,"—(*Sir George Bowyer:*)—After short debate, Question put, and *agreed to.*

LORDS, MONDAY, JUNE 3.

PRIVATE BILLS—

Ordered, That Standing Orders Nos. 72 and 82 be suspended for the remainder of the Session.

THE EASTERN QUESTION—THE CONGRESS—Ministerial Statement, The Marquess of Salisbury; Observations, Earl Granville; Reply, The Earl of Beaconsfield:—Short debate thereon 1055

ATTEMPTED ASSASSINATION OF THE EMPEROR OF GERMANY—Question, Earl Granville; Answer, The Marquess of Salisbury 1060

THE EASTERN QUESTION—ALLEGED AGREEMENT BETWEEN ENGLAND AND RUSSIA—Question, Earl Grey; Answer, The Marquess of Salisbury .. 1061

ARMY—THE AUXILIARY FORCES—THE MILITIA ARTILLERY—Question, Lord Waveney; Answer, Viscount Bury 1061

Medical Act (1858) **Amendment Bill** (Nos. 44, 90)—
House in Committee (on Re-commitment) (according to Order) .. 1062
Amendments made; the Report thereof to be received *To-morrow;* and Bill to be *printed* as amended (No. 104.)

NAVY—H.M.S. "EURYDICE"—Question, Observations, Lord Dorchester; Reply, Lord Elphinstone 1063
On Motion of Lord DORCHESTER, Papers respecting the raising of H.M.S. "Eurydice" ordered to be laid before the House; to be *printed.* (No. 105.)

COMMONS, MONDAY, JUNE 3.

NOTICE OF QUESTION.

THE EASTERN QUESTION—THE CONFERENCE—THE ARMENIANS—Notice, Sir John Kennaway 1068

NOTICE OF MOTION.

THE "NINETEENTH CENTURY"—THE ARTICLE ON "LIBERTY IN THE EAST AND WEST"—(MR. GLADSTONE)—Notice, Mr. Hanbury .. 1069

QUESTIONS.

POOR LAW—SAFFRON WALDEN UNION—Question, Dr. Lush; Answer, Mr. Sclater-Booth 1070

INDIA—THE VERNACULAR PRESS ACT—THE PRESS COMMISSIONER—Question, Sir George Campbell; Answer, Mr. E. Stanhope 1071

HIGH COURT OF JUSTICE—Question, Mr. Gregory; Answer, Mr. Assheton Cross 1071

SALE OF FOOD AND DRUGS ACT, 1875—VIOLET POWDER—Question, Sir Edward Watkin; Answer, Mr. Assheton Cross 1072

ARMY—COLONEL WELLESLEY—Question, Mr. J. Cowen; Answer, Colonel Stanley 1072

INDIA—TROOPS OF NATIVE STATES—Question, Mr. O'Donnell; Answer, Mr. E. Stanhope 1073

INDIA—THE MAHARAJAH OF KUCH BAHAR—Question, Mr. O'Donnell; Answer, Mr. E. Stanhope 1073

PARLIAMENT—PUBLIC BUSINESS—Questions, Mr. Clare Read, Mr. Parnell; Answers, The Chancellor of the Exchequer 1074

ROADS AND BRIDGES (SCOTLAND) BILL—Question, Mr. Ramsay; Answer, The Chancellor of the Exchequer 1075

ARMY—RIFLED ORDNANCE—Question, Major O'Beirne; Answer, Lord Eustace Cecil 1075

PARLIAMENT—THE DERBY DAY—ADJOURNMENT OF THE HOUSE—Questions, Mr. Chaplin; Answers, The Chancellor of the Exchequer, Mr. Speaker 1075

THE EASTERN QUESTION—THE CONGRESS — Ministerial Statement, The Chancellor of the Exchequer 1076
Moved, "That this House do now adjourn,"—(*The Marquess of Hartington:*) —After short debate, Motion, by leave, *withdrawn.*

GERMANY—ATTEMPTED ASSASSINATION OF THE EMPEROR OF GERMANY—Statement, Mr. Bourke 1078

THE EASTERN QUESTION—THE CONGRESS—REPRESENTATION OF GREECE—Question, Sir Charles W. Dilke; Answer, The Chancellor of the Exchequer 1082

UNIVERSITY EDUCATION (IRELAND)—Question, The O'Conor Don; Answer, The Chancellor of the Exchequer 1082

TURKEY—MURDER OF MR. OGLE—Question, Mr. H. Samuelson; Answer, Mr. Bourke 1083

ROADS AND BRIDGES (SCOTLAND) BILL—Observation, Sir George Campbell 1083

SUPPLY—THE LATE EARL RUSSELL—Observations, The Chancellor of the Exchequer, The Marquess of Hartington 1084

Moved, "That this House will immediately resolve itself into the Committee of Supply,"—(*Mr. Chancellor of the Exchequer:*)—Motion *agreed to.*

ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

UNIVERSITY EDUCATION (IRELAND)—RESOLUTION—Amendment proposed, To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the present condition of University Education in Ireland is most unsatisfactory, and demands the immediate attention of Parliament, with the view of extending more generally and equally the benefits of such education,"—(*Mr. Blennerhassett,*)—instead thereof 1085

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put:—The House *divided;* Ayes 200, Noes 67; Majority 133.

Div. List, Ayes and Noes 1150

Main Question proposed, "That Mr. Speaker do now leave the Chair:"—Original Motion, by leave, *withdrawn:*—Committee *deferred* till *Wednesday.*

SUPPLY—REPORT—Resolutions [30th May] *reported* 1152

After short debate, Resolutions *agreed to.*

Endowed Schools and Hospitals (Scotland) Bill (*Lords*)—

Moved, "That the Bill be now read a second time,"—(*The Lord Advocate*) 1154

Motion *agreed to:*—Bill read a second time, and *committed* for *Monday* 17th June.

County of Hertford and Liberty of Saint Alban Act (1874) Amendment Bill—

Ordered (*Mr. Abel Smith, Mr. Cowper, Mr. Halsey*); *presented,* and read the first time [Bill 203] 1154

LORDS, TUESDAY, JUNE 4.

PRIVATE BILLS—

Ordered, That Standing Orders Nos. 92. and 93. be suspended; and that the time for depositing petitions praying to be heard against Private Bills, which would otherwise expire during the adjournment of the House at Whitsuntide, be extended to the first day on which the House shall sit after the recess.

NAVY—H.M.S. "EURYDICE"—Question, Earl De La Warr; Answer, Lord Elphinstone 1155

Public Health Act (1875) Amendment Bill (No. 85)—

Moved, That the House do now resolve itself into Committee .. 1156

Amendment *moved,* to leave out all the words after ("That") and insert ("the Bill be referred to a Select Committee,")—(*The Earl De La Warr.*)

After short debate, Amendment (by leave of the House) *withdrawn:*—Original Motion *agreed to:*—House in Committee accordingly.

Amendments made; the Report thereof to be received on *Friday* the 21st *instant;* and Bill to be *printed,* as amended. (No. 106.)

[*June* 4.] Page

CONSERVANCY BOARDS—Question, Observations, The Marquess of Ripon; Reply, The Duke of Richmond and Gordon 1162

COMMONS, TUESDAY, JUNE 4.

NOTICE OF AMENDMENT.

THE "NINETEENTH CENTURY"—THE ARTICLE ON "LIBERTY IN THE EAST AND WEST"—(MR. GLADSTONE)—MR. HANBURY'S MOTION—Notice of Amendment, Mr. O'Donnell 1164

QUESTIONS.

POST OFFICE—LETTER CARRIERS—Question, Mr. H. Brassey; Answer, Lord John Manners 1165
RAILWAY ACCIDENTS—DEATH OF SIR FRANCIS GOLDSMID, MEMBER FOR READING—Question, Mr. Thomson Hankey; Answer, Viscount Sandon 1166
INDIA—THE INDIAN ARMY—Question, Mr. Fawcett; Answer, Mr. E. Stanhope 1166
COLLECTION OF RATES (DUBLIN)—LEGISLATION—Question, Mr. M. Brooks; Answer, The Attorney General for Ireland 1167
THE EASTERN QUESTION—THE CONGRESS—THE ENGLISH REPRESENTATIVES —THE ARMENIANS—Questions, Mr. Hayter, Sir John Kennaway; Answers, The Chancellor of the Exchequer, Mr. Bourke .. 1167
NAVY—THE RAMS OF IRON-CLADS—Question, Sir Eardley Wilmot; Answer, Mr. A. F. Egerton 1168
THE EASTERN QUESTION—THE CONGRESS—REPRESENTATION OF GREECE—Question, Sir Charles W. Dilke; Answer, The Chancellor of the Exchequer 1168
THE GERMAN EMPEROR—Questions, Sir Charles Forster, Mr. Newdegate; Answers, Mr. Bourke, The Chancellor of the Exchequer .. 1169
THE "NINETEENTH CENTURY"—THE ARTICLE ON "LIBERTY IN THE EAST AND WEST"—(MR. GLADSTONE)—MR. HANBURY'S MOTION—Question, Mr. Rylands; Answer, Mr. Hanbury 1170
MERCHANT SEAMEN BILL—REPORT OF SELECT COMMITTEE—Question, Mr. J. Stewart; Answer, Mr. E. Stanhope 1171

PARLIAMENT—ADJOURNMENT OF THE HOUSE—THE DERBY DAY—Question, Sir George Campbell; Answer, Mr. Chaplin 1171

Moved, "That this House will, at the rising of the House this day, adjourn till Thursday next,"—(*Mr. Chaplin*:)—After short debate, Question put:—The House *divided*; Ayes 225, Noes 95; Majority 130. —(Div. List, No. 163.)

ORDERS OF THE DAY.

Roads and Bridges (Scotland) Bill [Bill 4]—

Bill *considered* in Committee [*Progress 21st March*] 1182

After long time spent therein, It being ten minutes to Seven of the clock, Committee report Progress; to sit again upon *Tuesday* 18th June, at Two of the clock.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

MOTIONS.

ENDOWED SCHOOLS (IRELAND)—MOTION FOR A SELECT COMMITTEE—

Moved, "That a Select Committee be appointed to inquire into the condition, revenues, and management of the Endowed Schools of Ireland, with instructions to report how far those endowments are at present promoting or are applicable to the promotion of Intermediate Education in that Country without distinction of class or religion,"—(*Lord Randolph Churchill*) 1216

Amendment proposed,

At the end of the Question, to add the words "and also into the practicability of establishing schools upon the denominational system,"—(*Lord Charles Beresford.*)

Question proposed, "That those words be there added:"—After short debate, Amendment and Motion, by leave, *withdrawn*

DOVER AND CALAIS MAIL CONTRACT—RESOLUTION—

Moved, "That the Contract entered into between the South Eastern Railway Company and the London, Chatham, and Dover Railway Company and the Postmaster General for the conveyance of the Mails between Dover and Calais be approved,"—(*Sir Henry Selwin-Ibbetson*) 1236

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House declines to approve the said Contract until an undertaking be given by the South Eastern Company and the London, Chatham, and Dover Company to provide more adequate service in their steam vessels,"—(*Sir William Fraser,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn*:—Main Question put, and *agreed to.*

Local Government Provisional Orders (Ireland) Confirmation (Downpatrick, &c.) Bill—*Ordered* (*Mr. James Lowther, Mr. Attorney General for Ireland*) .. 1239

ORDERS OF THE DAY.

Racecourses (Licensing) Bill [Bill 173]—

Bill *considered* in Committee 1239

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Stacpoole.*)

Notice taken, that 40 Members were not present; Committee counted, and 40 Members not being present,

Mr. Speaker resumed the Chair; House counted, and 40 Members not being present, [House adjourned.]

LORDS, THURSDAY, JUNE 6.

Poor Law Amendment Act (1876) Amendment Bill (No. 99)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Shaftesbury* .. 1240

After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* the 24*th instant.*

THE EASTERN QUESTION—THE CONGRESS—THE ARMENIAN CHRISTIANS—Question, Observations, The Earl of Shaftesbury; Reply, The Marquess of Salisbury:—Short debate thereon 1242

The Eastern Question—The Congress—The Treaty of San Stefano—Question, Observations, Earl De La Warr; Reply, The Marquess of Salisbury; Observations, The Earl of Harrowby 1247

Telegraphs Bill [H.L.] (No. 77)—
Select Committee *nominated*:—List of the Committee 1249

COMMONS, THURSDAY, JUNE 6.

QUESTIONS.

Ireland—Blackwater Bridge, Youghal—Question, Sir Joseph M'Kenna; Answer, Mr. J. Lowther 1250

Naval Courts Martial—Question, Mr. Hopwood; Answer, Mr. W. H. Smith 1251

Navy—H.M.S. "Eurydice"—Question, Mr. Bates; Answer, Mr. W. H. Smith 1251

The Eastern Question—The Berlin Congress — Correspondence — Questions, Mr. Dillwyn, Mr. W. E. Forster, Mr. Hayter; Answers, The Chancellor of the Exchequer 1252

Contagious Diseases (Animals) Bill—Question, Sir George Jenkinson; Answer, The Chancellor of the Exchequer 1253

H.M.S. "Beagle"—Execution of a Native of Tanna—Judicial Powers of Naval Commanders—Question, Mr. Gorst; Answer, Mr. W. H. Smith 1254

Straits Settlements—The Perak Expedition—The Expenses—Question, Sir Charles W. Dilke; Answer, Mr. E. Stanhope 1254

Post Office Mail Service—The Peninsular and Oriental Company—Question, Mr. Anderson; Answer, Sir Henry Selwin-Ibbetson .. 1255

Turkey—The British Fleet in the Sea of Marmora—Question, Sir John Hay; Answer, Mr. W. H. Smith 1256

Attempted Assassination of the Emperor of Germany—Question, Mr. W. E. Forster; Answer, The Chancellor of the Exchequer .. 1256

Parliament—Arrangement of Public Business—Question, Mr. W. E. Forster; Answer, The Chancellor of the Exchequer 1256

Ireland—Collection of Rates (Dublin)—Question, Mr. Gray; Answer, Mr. J. Lowther 1257

ORDERS OF THE DAY.

SUPPLY—*considered* in Committee—Civil Service Estimates—

(In the Committee.)

Class V.—Colonial, Consular, and other Foreign Services.

(1.) Motion made, and Question proposed, "That a sum, not exceeding £134,520, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Expenses of Her Majesty's Embassies and Missions Abroad" 1258

After debate, Motion made, and Question proposed, "That the Item for Salaries be reduced by the sum of £1,250,"—(*Mr. O'Donnell*:)—After further short debate, Question put, and *negatived*.

Original Question put, and *agreed to*.

(2.) £166,053, to complete the sum for Consular Services.—After short debate, Vote *agreed to* 1283

(3.) Motion made, and Question proposed, "That a sum, not exceeding £31,634, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, in aid of Colonial Local Revenue, and for the Salaries and Allowances of Governors, &c., and for other Expenses in certain Colonies" 1290

Motion made, and Question proposed, "That the Item of £2,000, for the Salary of

SUPPLY—CIVIL SERVICE ESTIMATES—Committee—*continued.*

Her Majesty's High Commissioner for South Africa, be reduced by the sum of £1,200,"—(*Mr. O'Donnell*:)—After short debate, Question put, and *negatived.*
Original Question put, and *agreed to.*
(4.) £2,129, to complete the sum for the Orange River Territory and St. Helena (Non-Effective Charges).
(5.) £1,220, to complete the sum for the Suez Canal (British Directors).
(6.) £5,742, to complete the sum for the Suppression of the Slave Trade.—After short debate, Vote *agreed to* 1308
(7.) £10,547, to complete the sum for the Tonnage Bounties, &c., and Liberated African Department.

CLASS VI.—SUPERANNUATION AND RETIRED ALLOWANCES, AND GRATUITIES FOR CHARITABLE AND OTHER PURPOSES.

(8.) £221,961, to complete the sum for Superannuations and Retired Allowances.—After short debate, Vote *agreed to* 1309
(9.) £15,650, to complete the sum for the Merchant Seamen's Fund, Pensions, &c.
(10.) £22,400, to complete the sum for the Relief of Distressed British Seamen Abroad.
(11.) £380,000, for Pauper Lunatics, England.—After short debate, Vote *agreed to* .. 1311
(12.) £68,000, for Pauper Lunatics, Scotland.
(13.) £20,900, to complete the sum for Pauper Lunatics, Ireland.
(14.) £13,387, to complete the sum for Hospitals and Infirmaries, Ireland.
(15.) £127,617, for Savings Banks and Friendly Societies Deficiency.
(16.) Motion made, and Question proposed, "That a sum, not exceeding £3,144, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for certain Miscellaneous Charitable and other Allowances in Great Britain" 1312
Motion made, and Question proposed, "That the Item of £500, for the Clarges Annuity, be omitted from the proposed Vote,"—(*Mr. O'Donnell*:)—After short debate, Question put:—The Committee *divided;* Ayes 12, Noes 58; Majority 46.—(Div. List, No. 168.)
Original Question put, and *agreed to.*
(17.) £3,097, to complete the sum for Miscellaneous, Charitable, and other Allowances, Ireland.

CLASS VII.—MISCELLANEOUS, SPECIAL, AND TEMPORARY OBJECTS.

(18.) £16,579, to complete the sum for Temporary Commissions.
(19.) £7,152, to complete the sum for Miscellaneous Expenses.

REVENUE DEPARTMENTS.

(20.) £735,698, to complete the sum for the Customs.
(21.) £1,359,270, to complete the sum for the Inland Revenue.
(22.) £2,484,915, to complete the sum for the Post Office.
(23.) £580,045, to complete the sum for the Post Office Packet Service.
(24.) £743,372, to complete the sum for the Post Office Telegraphs.—After short debate, Vote *agreed to* 1313

Resolutions to be reported *To-morrow*, at Two of the clock; Committee to sit again *To-morrow*, at Two of the clock.

Admiralty and War Office (Retirement of Officers) Bill—
Moved, "That the Bill be now read a second time,"—(*Sir Henry Selwin-Ibbetson*) 1313
After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Thursday* next.

Tramways Orders Confirmation (No. 1) (*re-committed*) **Bill—**
Bill *considered* in Committee 1316
Bill *reported;* to be *printed*, as amended [Bill 207]; *re-committed* for *Friday*, 14th June, at Two of the clock.

Valuation of Property Bill [Bill 94]—
Moved, "That the Bill be now read a second time,"—(*Mr. Sclater-Booth*) 1316
After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Friday* 14th June, at Two of the clock.

Inclosure Provisional Order (Llanfair Waterdine) Bill—
Moved, "That the Bill be now read a second time,"—(*Sir Matthew Ridley*) 1318
Moved, "That the Debate be now adjourned,"—(*Sir Charles W. Dilke*:) —After short debate, Motion, by leave, *withdrawn.*
Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Thursday* next.

Dental Practitioners (*re-committed*) **Bill** [Bill 177]—
Bill *considered* in Committee 1319
After short time spent therein, Bill *reported,* without Amendment; to be read the third time upon *Monday* next.

Parliamentary and Municipal Registration (Consolidated) Bill [Bill 203]—
Bill *considered* in Committee 1322
Bill *reported,* without Amendment; to be read the third time *To-morrow,* at Two of the clock.

Election of Aldermen (Cumulative Vote) Bill [Bill 71]—
Order read, for resuming Adjourned Debate on Question [15th March], "That the Bill be now read a second time:"—Question again proposed:—Debate *resumed* 1323
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Dodds.*)
Question proposed, "That the word 'now' stand part of the Question:" —Question put:—The House *divided;* Ayes 53, Noes 48; Majority 5. —(Div. List, No. 169.)
Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Tuesday,* 18th June.

Tenant Right (Ireland) Bill [Bill 31]—
Bill *considered* in Committee [*Progress 30th May*] 1325
After short time spent therein, Bill *reported;* as amended, to be considered *To-morrow,* at Two of the clock.

Innkeepers Bill—*Ordered* (*Mr. Wheelhouse, Mr. Locke, Mr. Spencer Stanhope*); *presented,* and read the first time [Bill 211] 1327

LORDS, FRIDAY, JUNE 7.

ARMY EXAMINATIONS—LITERARY AND PHYSICAL COMPETITIONS—ADDRESS FOR A PAPER—
Moved, That an humble address be presented to Her Majesty for Report of the Joint Committee of the War Office and the Civil Service Commissioners appointed to consider the question whether the present literary examinations for the Army should be supplemented by physical competition,—(*The Lord Hampton*) 1328
After short debate, Motion *agreed to.*

FORCES OF THE CROWN IN IRELAND—MOTION FOR A RETURN—
Moved, "That an humble address be presented to Her Majesty for Return of the numbers of Forces of the Crown raised and maintained on the Irish Establishment in Ireland between A.D. 1700 and A.D. 1800, distinguishing the numbers the raising and maintenance of which were authorized by the Parliament of England from the numbers not so authorized,"—(*Lord Penzance*) 1333
After short debate, Motion amended, and *agreed to.*

COMMONS, FRIDAY, JUNE 7.

Page

PRIVATE BILLS—

Ordered, That Standing Order 129 be suspended, and that the time for depositing Petitions against Private Bills, or against any Bill to confirm any Provisional Order, or Provisional Certificate, be extended to Thursday next,—(*The Chairman of Ways and Means.*)

QUESTIONS.

POST OFFICE—NEWSPAPER REGISTRATION—Question, Mr. Benett-Stanford; Answer, Sir Henry Selwin-Ibbetson 1339
FOREIGN OFFICE REPORTS—Question, Mr. Baillie Cochrane; Answer, Mr. Bourke 1339
CORRUPT PRACTICES ACTS—LEGISLATION—Question, Sir Charles W. Dilke; Answer, The Chancellor of the Exchequer 1340
INLAND REVENUE — BREWERS' LICENCE TAX — Question, Sir Edward Watkin; Answer, The Chancellor of the Exchequer 1340
POOR LAW—COMPENSATION ALLOWANCES TO UNION OFFICERS—Question, Mr. J. R. Yorke; Answer, Mr. Sclater-Booth 1341
NAVY—WIDOWS' PENSION FUND—Question, Captain Price; Answer, Mr. W. H. Smith 1342
ARMY — THE TYRONE FUSILIERS — Question, Mr. O'Donnell; Answer, Colonel Stanley 1342
PARLIAMENT—PUBLIC BUSINESS—Questions, Mr. Parnell, Mr. Knatchbull-Hugessen; Answers, Mr. J. Lowther, The Chancellor of the Exchequer 1343
ARMY — THE NORTHAMPTON MILITIA — Question, Mr. Hayter; Answer, Colonel Stanley 1344

PARLIAMENT—THE WHITSUNTIDE HOLIDAYS—MOTION—
Moved, "That the House, at its rising, do adjourn till Thursday next," —(*The Chancellor of the Exchequer*:)—Motion *agreed to.*

ORDERS OF THE DAY.

Highways Bill [Bill 95]—
Bill *considered* in Committee 1345
After short time spent therein, Bill *reported;* to be *printed,* as amended [Bill 214]; *re-committed* for *Friday* next, at Two of the clock.

Inclosure Provisional Order (Orford) Bill [Bill 189]—
Moved, "That the Bill be now read a second time,"—(*Sir Matthew Ridley*) 1348
Moved, "That the Debate be now adjourned,"—(*Sir Charles W. Dilke*:) —After short debate, Question put:—The House *divided;* Ayes 48, Noes 69; Majority 21.—(Div. List, No. 170.)
Question again proposed, "That the Bill be now read a second time:" —*Moved,* "That this House do now adjourn,"—(*Mr. Edward Jenkins*:) —After short debate, Motion, by leave, *withdrawn.*
Original Question put, and *agreed to*:—Bill read a second time, and *committed* for *Friday* next, at Two of the clock.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—
IMPRISONMENT FOR DEBT—Observations, Mr. E. Jenkins; Reply, Mr. Assheton Cross 1353
THE STRAITS SETTLEMENTS—PERAK—Questions, Sir Charles W. Dilke, Sir George Campbell; Answers, Sir Michael Hicks-Beach .. 1354

SUPPLY—Order for Committee read—*continued.*

LAND TAX—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the present system of Land Taxation is inequitable, and requires to be amended,"—(*Mr. O'Donnell,*)—instead thereof .. 1355

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES—

(In the Committee.)

CLASS I.—PUBLIC WORKS AND BUILDINGS.

(1.) £28,416, to complete the sum for Royal Palaces.—After short debate, Vote *agreed to* 1359
(2.) £4,950, to complete the sum for Marlborough House.—After short debate, Vote *agreed to* 1360
(3.) £24,723, to complete the sum for Houses of Parliament Buildings.—After short debate, Vote *agreed to* 1360
(4.) £97,608, to complete the sum for Public Buildings.—After debate, Vote *agreed to* 1361
(5.) £11,650, to complete the sum for Furniture of Public Offices.
(6.) £141,045, to complete the sum for the Revenue Department Buildings, Great Britain.
(7.) £33,330, to complete the sum for County Court Buildings.—After short debate, Vote *agreed to* 1373
(8.) £11,534, to complete the sum for the Metropolitan Police Court Buildings.—After short debate, Vote *agreed to* 1373
(9.) £90,300, to complete the sum for the New Courts of Justices and Offices.—After short debate, Vote *agreed to* 1375
(10.) £100,200, to complete the sum for the Survey of the United Kingdom.—After short debate, Vote *agreed to* 1375
(11.) £11,509, to complete the sum for the Science and Art Department Buildings.—After short debate, Vote *agreed to* 1378
(12.) £3,795, to complete the sum for British Museum Buildings.
(13.) Motion made, and Question proposed, "That a sum, not exceeding £60,050, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Erection of a Natural History Museum" 1382
Motion made, and Question proposed, "That a sum, not exceeding £40,050, be granted, &c.,"—(*Mr. Edward Jenkins*:)—After short debate, Question put, and *negatived.*
Original Question put, and *agreed to.*
(14.) £11,283, to complete the sum for Harbours, &c. under the Board of Trade.—After short debate, Vote *agreed to* 1385
(15.) £133,091, to complete the sum for rates on Government property.—After short debate, Vote *agreed to* 1386
(16.) £7,500, to complete the sum for the Metropolitan Fire Brigade.—After short debate, Vote *agreed to* 1386
(17.) £9,310, to complete the sum for Lighthouses Abroad.
(18.) £32,867, to complete the sum for Diplomatic and Consular Buildings.

Resolutions to be reported upon *Thursday* next; Committee to sit again upon *Thursday* next.

SUPPLY—REPORT—Resolutions [6th June] *reported* 1387

First Twenty-two Resolutions *agreed to.*
After short debate, it being ten minutes before Seven of the clock, the further Proceeding on Consideration of the said Resolutions stood adjourned till *Thursday* next.

COMMONS, THURSDAY, JUNE 13.

Page

QUESTIONS.

ARMY — THE RESERVE FORCES — PENSIONS AND GOOD CONDUCT PAY— Question, Colonel Arbuthnot; Answer, Colonel Stanley .. 1389

SOUTH AFRICA — THE KAFFIR WAR—OFFICERS ON SPECIAL SERVICE— Question, Mr. Hayter; Answer, Colonel Stanley 1389

STRAITS SETTLEMENTS—THE PERAK EXPEDITION—PAY OF THE INDIAN TROOPS—Question, Sir George Campbell; Answer, Mr. E. Stanhope .. 1390

ARMY—THE INDIAN SERVICE—Question, General Sir George Balfour; Answer, Colonel Stanley 1390

ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

TREATIES OF 1856 AND 1871—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, all future Treaties between this Country and Foreign Powers under which this Country is engaged, separately or in conjunction with any other Power, to interfere by force of arms, or by armed demonstration, or by the contribution of any military contingent or pecuniary subsidy, to attack or defend any Government or Nation with reference to its internal arrangements or foreign relations, or on any other contingency whatsoever, ought to be laid upon the Table of both Houses of Parliament before being ratified, in order that an opportunity may be afforded to both Houses of expressing their opinion upon the provisions of such Treaties,"—(*Mr. Rylands,*)—instead thereof 1391

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *agreed to.*

MILITARY FORCES LOCALIZATION ACT—THE COMPTROLLER AND AUDITOR GENERAL'S REPORT—Observations, Sir Alexander Gordon .. 1416

ARMY—AUXILIARY FORCES—THE MILITIA—Observations, Mr. Hayter:— Short debate thereon 1418

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—ARMY ESTIMATES—

(In the Committee.)

(1.) £256,500, Medical Establishments and Service.—After debate, Vote *agreed to* .. 1433

(2.) £535,400, Pay and Allowances of the Militia, including Militia Reserve.—After short debate, Vote *agreed to* 1444

(3.) Motion made, and Question proposed, "That a sum, not exceeding £74,400, be granted to Her Majesty, to defray the Charge for Yeomanry Cavalry Pay and Allowances, which will come in course of payment during the year ending on the 31st day of March 1879" 1447

Motion made, and Question proposed, "That a sum, not exceeding £68,440, be granted, &c.,"—(*Major O'Beirne.*)—After short debate, Question put, and *negatived.*

Original Question put, and *agreed to.*

(4.) Motion made, and Question proposed, "That a sum, not exceeding £485,300, be granted to Her Majesty, to defray the Charge for Volunteer Corps Pay and Allowances, which will come in course of payment during the year ending on the 31st day of March 1879" 1449

After debate, Question put:—The Committee *divided;* Ayes 126, Noes 7; Majority 119.—(Div. List, No. 171.)

Original Question put, and *agreed to.*

(5.) Motion made, and Question proposed, "That a sum, not exceeding £185,500, be granted to Her Majesty, to defray the Charge for the Pay, Allowances, &c. of a number of Army Reserve First Class, not exceeding 19,000, and of the Army Reserve Second Class, which will come in course of payment during the year ending on the 31st day of March 1879" 1474

SUPPLY—ARMY ESTIMATES—Committee—*continued.*

Motion made, and Question proposed, "That a sum, not exceeding £95,500, be granted, &c.,"—(*Mr. Parnell.*)—After short debate, Question put, and *negatived.*
Original Question put, and *agreed to.*

Resolutions to be reported *To-morrow*, at Two of the clock; Committee to sit again *To-morrow.*

Medical Act (1858) Amendment (No. 2) Bill [Bill 196]—
Moved, "That the Bill be now read a second time,"—(*Mr. A. Mills*) .. 1483
Moved, "That the Debate be now adjourned,"—(*Sir Charles W. Dilke*:)—Motion *agreed to*:—Debate *adjourned* till *Wednesday* next.

Racecourses Licensing Bill [Bill 76]—
Bill *considered* in Committee 1483
After short time spent therein, Bill *reported*; as amended, to be considered upon *Monday* next.

Tenant Right (Ireland) Bill [Bill 31]—
Moved, "That the Bill be now considered,"—(*Lord Hill-Trevor*) .. 1490
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon Monday next,"—(*Mr. Macartney.*)
Question proposed, "That the word 'now' stand part of the Question:"—After short debate, Question put, and *negatived.*
Words *added*:—Bill to be considered upon *Monday* next.

ADMIRALTY AND WAR OFFICE [RETIREMENT OF OFFICERS]—
Considered in Committee:—Resolution thereon 1491
Resolution to be reported *To-morrow*, at Two of the clock.

COMMONS, FRIDAY, JUNE 14.

QUESTIONS.

UNITED STATES—TREATY OF WASHINGTON—THE TWENTY-SECOND ARTICLE—AWARD OF THE FISHERIES COMMISSIONERS—Question, Mr. Gourley; Answer, The Chancellor of the Exchequer 1492
POOR LAW—THE DOLGELLY GUARDIANS—CARE OF CHILDREN—Question, Mr. Wheelhouse; Answer, Mr. Sclater-Booth 1493
THE EASTERN QUESTION—THE AGREEMENT BETWEEN RUSSIA AND ENGLAND—Question, Mr. W. H. James; Answer, The Chancellor of the Exchequer 1493
CONTAGIOUS DISEASES (ANIMALS) BILL—Question, Mr. J. Cowen; Answer, The Chancellor of the Exchequer 1494

ORDERS OF THE DAY.

Valuation of Property Bill [Bill 94]—
Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Sclater-Booth*) 1494
Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "no re-adjustment of the system of assessment will be complete or satisfactory to ratepayers until a representative County Board is established, with power of hearing appeals on questions of value, and for securing uniformity of assessment,"—(*Mr. Clare Read,*)—instead thereof 1504
Question proposed, "That the words proposed to be left out stand part of the Question."
After debate, It being ten minutes before Seven of the clock, the Debate stood adjourned till *this day.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE GALTEE ESTATE—MOTION FOR A SELECT COMMITTEE—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into and report upon the statements as to the treatment and condition of the tenants on the estate known as the 'Galtee Estate,' in the counties of Cork and Tipperary, which were made in the evidence given during the second trial of John Sarsfield Casey in the Court of Queen's Bench in Dublin,"—(*Mr. Gray*,)—instead thereof 1527

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 74, Noes 50; Majority 24.—(Div. List, No. 172.)

TURKEY—MURDER OF MR. OGLE—Observations, Mr. H. Samuelson; Reply, The Chancellor of the Exchequer 1561

Main Question proposed, "That Mr. Speaker do now leave the Chair:"——Motion, by leave, *withdrawn:*—Committee *deferred* till *Monday* next.

PARLIAMENT — PUBLIC BUSINESS — Observations, The Chancellor of the Exchequer 1567

Landlord and Tenant (Ireland) Bill—*Ordered* (*Mr. Herbert, Mr. King-Harman, Mr. Dease*); *presented*, and read the first time [Bill 218] 1567

Public Works Loans (Ireland) Act (1877) Amendment Bill—*Ordered* (*Mr. James Lowther, Sir Henry Selwin-Ibbetson*); *presented*, and read the first time [Bill 219] .. 1568

LORDS, MONDAY, JUNE 17.

Truro Bishopric Bill [H.L.] (No. 103)—

Order of the Day for the Second Reading *discharged*, and Bill (by leave of the House) *withdrawn.*

Then—

Truro Chapter Bill [H.L.]—*Presented* (*The Lord Bishop of Exeter*); read 1ª (No. 112) .. 1569

THE EASTERN QUESTION—THE CONGRESS—ALLEGED AGREEMENT BETWEEN RUSSIA AND ENGLAND—Question, Observations, Earl Granville; Reply, The Duke of Richmond and Gordon:—Short debate thereon .. 1569

Monuments (Metropolis) (No. 2) Bill (No. 100)—

Order of the Day for the House to be put into Committee, read .. 1572

After short debate, Committee *put off* to *Friday* next.

Corrib (Galway) River Bill [H.L.]—*Presented* (*The Lord President*); read 1ª, and *referred* to the Examiners (No. 113) 1573

Statute Law Revision Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 114) 1573

TABLE OF CONTENTS.

COMMONS, MONDAY, JUNE 17.

Page

PRIVATE BUSINESS.

Aberdeen District Tramways Bill (*by Order*)—

Moved, "That the Bill be now read the third time" 1574

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Sir Walter B. Barttelot.*)

Question proposed, "That the word 'now' stand part of the Question:" —After debate, *Moved,* "That the Debate be now adjourned,"—(*Sir Joseph M'Kenna:*)—After further short debate, Motion, by leave, *withdrawn.*

Question again proposed, "That the word 'now' stand part of the Question:"—*Moved,* "That the Debate be now adjourned,"—(*Mr. Delahunty:*)—After short debate, Question put, and *negatived.*

Question put, "That the word 'now' stand part of the Question:"— The House *divided;* Ayes 216, Noes 119; Majority 97.—(Div. List, No. 173.)

On Question, "That the Bill be now read the third time?"—After short debate, Question put, and *agreed to:*—Bill read the third time, and *passed.*

QUESTIONS.

Endowed Schools Commissioners—Educational Endowments—Question, Mr. Rathbone; Answer, Lord George Hamilton 1603

Post Office (Ireland)—Case of Mr. John Daly—Question, Mr. Gray; Answer, Lord John Manners 1603

Law and Justice—Assizes and Quarter Sessions—Question, Mr. Williams Wynn; Answer, Mr. Assheton Cross 1604

India—The Jowaki Afreedis Expedition — Question, Mr. Herschell; Answer, Mr. E. Stanhope 1605

Army—The Auxiliary Forces—The Militia—Fines for Drunkenness —Question, Major O'Beirne; Answer, Colonel Stanley 1605

Education Department — The Financial Statement — Question, Sir Ughtred Kay-Shuttleworth; Answer, Lord George Hamilton .. 1606

Physical Competition for the Army — Question, Sir Ughtred Kay-Shuttleworth; Answer, Colonel Stanley 1606

Tramways—Mechanical Power—Question, Colonel Beaumont; Answer, Viscount Sandon 1606

Army — Auxiliary Forces — Yeomanry Sergeant Majors —Question, Captain Milne-Home; Answer, Colonel Stanley 1607

The Charity Commission — North Sunderland Harbour — Question, General Sir George Balfour; Answer, Lord George Hamilton .. 1607

Navy — Re-organization of the Dockyards —The Clerks—Question, Captain Price; Answer, Mr. W. H. Smith 1608

Local Courts of Bankruptcy (Ireland) Bill—Question, Mr. J. P. Corry; Answer, The Attorney General for Ireland 1608

Merchant Seamen Bill—The Select Committee—Questions, Captain Pim, Mr. Gourley; Answers, Viscount Sandon 1608

Army — The Tyrone Fusiliers — Rations — Question, Mr. O'Donnell; Answer, Colonel Stanley 1610

Moved, "That this House do now adjourn,"—(*Mr. O'Donnell:*)—After short debate, Motion, by leave, *withdrawn.*

Queen's Colleges (Ireland)—The Estimates—Question, Major Nolan; Answer, The Chancellor of the Exchequer 1612

Turkey—The Murder of Mr. Ogle—Question, Mr. H. Samuelson; Answer, The Chancellor of the Exchequer; Observations, Mr. Bourke 1612

THE EASTERN QUESTION—THE AGREEMENT BETWEEN RUSSIA AND ENGLAND—Questions, The Marquess of Hartington, Lord Robert Montagu; Answers, The Chancellor of the Exchequer 1614

PARLIAMENT—BUSINESS OF THE HOUSE—Questions, Mr. Chaplin, Mr. W. Holms, Mr. Onslow; Answers, The Chancellor of the Exchequer .. 1615

THE "NINETEENTH CENTURY"—THE ARTICLE ON "LIBERTY IN THE EAST AND WEST"—(MR. GLADSTONE)—MR. HANBURY'S MOTION—Question, Observations, Sir Walter B. Barttelot; Reply, Mr. Hanbury:—Observations, Mr. Gladstone 1616

ORDERS OF THE DAY.

Epping Forest Bill [Bill 188]—

Order for Second Reading read 1620

Bill read a second time, and *committed* to a Select Committee. Three to be nominated by the House, and two by the Committee of Selection.

Valuation of Property Bill [Bill 94]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [14th June]:—Question again proposed:—Debate *resumed* 1624

After debate, Question put:—The House *divided;* Ayes 131, Noes 107; Majority 24.—(Div. List, No. 174.)

After further debate, Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*:—Bill *considered* in Committee.

Committee report Progress; to sit again upon *Thursday.*

Inclosure Provisional Order (Orford) Bill [Bill 189]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Sir Matthew Ridley*) 1657

After short debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Parnell:*)—Motion, by leave, *withdrawn.*

Original Question put, and *agreed to*:—Bill *considered* in Committee, and *reported,* without Amendment; to be read the third time *To-morrow,* at Two of the clock.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That this House will, upon Wednesday next, resolve itself into the said Committee:"—

THE IRISH ESTIMATES—Observations, Mr. Parnell 1659

Moved, "That this House do now adjourn,"—(*Mr. O'Donnell:*)—After short debate, Question put, and *negatived.*

Original Question put, and *agreed to*:—Committee *deferred* till *Wednesday.*

SUPPLY—REPORT—Supply [6th June],—Further Proceeding on Report [7th June] *resumed* 1669

Twenty-third Resolution read a second time.

Motion made, and Question proposed, "That a sum, not exceeding £580,045, be granted for the Post Office Packet Service."

Amendment proposed, to leave out "£580,845," in order to insert "£579,085,"—(*Mr. Fraser-Mackintosh:*)—Question proposed, "That £580,045 stand part of the Resolution:"—Amendment, by leave, *withdrawn.*

Original Question put, and *agreed to*:—Subsequent Resolution *agreed to.*

Criminal Code (Indictable Offences) Bill [Bill 178]—

Order for Second Reading read 1671

After short debate, Bill read a second time, and *committed* for *Thursday.*

[*June* 17.]

Page

Weights and Measures (*re-committed*) **Bill** [Bill 143]—
Order for Committee read:—*Moved,* "That the Committee upon the Bill be fixed for Friday afternoon next, at Two of the clock,"—(*Mr. Chancellor of the Exchequer*) 1673
After short debate, Motion amended, and *agreed to*:—Committee *deferred* till *Thursday.*

Sale of Intoxicating Liquors on Sunday (Ireland) Bill—
Order for Consideration, as amended, read 1675
After short debate, Consideration, as amended, *deferred* till *Thursday.*

Collection of Rates (Dublin) Bill—
Motion for Leave (*Mr. James Lowther*) 1675
After short debate, Question put, and *agreed to*:—Bill to amend the Law relating to the Collection of Rates in the city of Dublin; and to the office of the Collector General of Rates; and for other purposes, *ordered* (*Mr. James Lowther, Mr. Attorney General for Ireland*); *presented,* and read the first time [Bill 220.]

PARLIAMENTARY REPORTING—NOMINATION OF SELECT COMMITTEE—
List of the Committee:—Short debate thereon 1677

Public Health Act Amendment (Interments) Bill—*Ordered* (*Mr. Marten, Mr. Greene, Mr. Cole*); *presented,* and read the first time [Bill 221] 1680

LORDS, TUESDAY, JUNE 18.

Their Lordships met;—And having gone through the Business on the Paper, without debate— [House adjourned.]

COMMONS, TUESDAY, JUNE 18.

PUBLIC PETITION.

PARLIAMENT—PUBLIC PETITIONS—THE INDIAN PRESS LAW—POINT OF ORDER—Petition *presented* (*Mr. Gladstone*) 1681
Petition *brought up;* and *ordered* to lie upon the Table.

QUESTIONS.

THE TREATMENT OF PRISONERS—Questions, Mr. Jacob Bright, Mr. Parnell; Answers, Mr. Assheton Cross 1682
ARMY—CAVALRY FORCE AT LONGFORD—Question, Mr. Errington; Answer, Colonel Loyd Lindsay 1683
THE CURRENCY—SMALL SILVER COINAGE—Question, Mr. Serjeant Simon; Answer, The Chancellor of the Exchequer 1683
PARLIAMENT—MORNING SITTINGS—Observations, The Chancellor of the Exchequer 1684

ORDERS OF THE DAY.

Roads and Bridges (Scotland) Bill [Bill 4]—
Bill *considered* in Committee [*Progress June 4th*] 1685
After long time spent therein, Committee report Progress; to sit again upon *Thursday.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

MOTIONS.

Religious Denominations (Scotland)—Motion for a Select Committee—

Moved, "That a Select Committee be appointed to inquire into the operation of the Patronage Act of 1874, and its effect upon the reciprocal relations of the various religious denominations in Scotland, and to ascertain how far the people of Scotland are in favour of maintaining the connection between Church and State in that Country," —(*Mr. William Holms*) 1738

Amendment proposed,

"That a Select Committee be appointed to inquire into the present relations of the Established Church with the other Churches in Scotland, and with the people at large, and in particular to inquire how far the Church Patronage Act of 1874 has tended to remove the causes of disunion and dissatisfaction among the Presbyterians of Scotland, and what further legislation would most conduce to that end,"—(*Mr. C. S. Parker.*)

The Amendment, not being seconded, could not be put.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to appoint a Commission to inquire into the causes which keep asunder the Presbyterians of Scotland, with a view to the removal of any impediments which may exist to their re-union in a National Church, as established at the Reformation, and ratified by the Revolution Settlement and the Act of Union,"—(*Sir Alexander Gordon,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Dillwyn :*)—After further short debate, Question put, and *agreed to :*—Debate *adjourned* till *Tuesday,* 9th July.

Epping Forest Bill

Select Committee *nominated :*—List of the Committee 1799

COMMONS, WEDNESDAY, JUNE 19.

Controverted Elections—Election for the Southern Division of the County of Northumberland 1799

ORDERS OF THE DAY.

Women's Disabilities Removal Bill [Bill 12]—

Moved, "That the Bill be now read a second time,"—(*Mr. Courtney*) .. 1800

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Hanbury.*)

Question proposed, "That the word 'now' stand part of the Question:" —After long debate, Question put:—The House *divided;* Ayes 140, Noes 220; Majority 80.

Division List, Ayes and Noes 1872

Words *added :*—Main Question, as amended, put, and *agreed to :*—Second Reading *put off* for three months.

Commutation of Tithes Bill—*Ordered* (*Mr. Cubitt, Mr. Arthur Vivian, Mr. Monk, Mr. Rodwell*); *presented,* and read the first time [Bill 222] 1875

Supreme Court of Judicature (Ireland) Act (1877) Amendment Bill—*Ordered* (*Mr. Attorney General for Ireland, Mr. James Lowther*); *presented,* and read the first time [Bill 223] 1875

TABLE OF CONTENTS.

LORDS, THURSDAY, JUNE 20.

Page

Truro Chapter Bill (No. 112)—
Moved, "That the Bill be now read 2ª,"—(*The Lord Bishop of Exeter*) .. 1875
Motion *agreed to* :—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

COMMONS, THURSDAY, JUNE 20.

QUESTIONS.

Metropolis—Coffee Stalls in the Streets—Question, Mr. P. A. Taylor; Answer, Mr. Assheton Cross 1878
Navy—Sailing Regulations of the Fleet—Question, Mr. Gourley; Answer, Mr. W. H. Smith 1879
The Franchise—Manufacture of Faggot Votes—Exeter—Question, Mr. Cole; Answer, Mr. Assheton Cross 1879
Mines Regulation Act, 1872—The Haydock Colliery Accident—Question, Mr. Macdonald; Answer, Mr. Assheton Cross .. 1880
Army—The Medical Service—Question, Mr. Mitchell Henry; Answer, Colonel Stanley 1880
Criminal Code (Indictable Offences) Bill—Question, Mr. B. T. Williams; Answer, The Attorney General 1881
Post Office—Post Office Savings Banks—Question, Mr. Muntz; Answer, The Chancellor of the Exchequer 1881
The British Borneo Company—The Consul at Sindak—Question, Sir Charles W. Dilke; Answer, Mr. Bourke 1881
The Board of Works—Report of the Commission—Question, Mr. Gray; Answer, Sir Henry Selwin-Ibbetson 1882
Ireland—The Disfranchisement of Cashel and Sligo—Question, Mr. Gray; Answer, The Chancellor of the Exchequer 1883
Scotland—Office of Lord Clerk Register—Question, Sir George Campbell; Answer, Mr. Assheton Cross 1883
Spain—The "Octavia" and the "Lark"—Question, Mr. Serjeant Simon; Answer, Mr. Bourke 1883
Inland Revenue—Out-door Licences—Question, Mr. Mundella; Answer, Mr. Assheton Cross 1884
Post Office (Ireland)—Telegraphic Department—Communication with Granard—Question, Mr. Errington; Answer, Lord John Manners .. 1885
Poor Law—Case of Eliza Littlehales—Question, Mr. A. H. Brown; Answer, Mr. Sclater-Booth 1885
South America—British Cemetery at Monte Video—Question, Sir H. Drummond Wolff; Answer, Mr. Bourke 1886
Post Office—Eastern Mail Service—Question, Mr. Anderson; Answer, Lord John Manners 1887
The Customs Department—Appointment of Sir Charles Du Cane—Question, Mr. Baxter; Answer, The Chancellor of the Exchequer .. 1887
Parliament—Public Business—Question, Mr. Dillwyn; Answer, The Chancellor of the Exchequer 1888

ORDERS OF THE DAY.

Roads and Bridges (Scotland) Bill [Bill 4]—
Bill *considered* in Committee [*Progress* 18*th June*] 1888
After long time spent therein, Bill *reported;* as amended, to be considered upon *Thursday* next, and to be *re-printed.* [Bill 224.]

Public Health (Ireland) (*re-committed*) **Bill** [Bills 1-199]—
Bill *considered* in Committee 1990
After short time spent therein, Bill *reported;* as amended, to be considered *To-morrow*, at Two of the clock.

Corrib (Galway) River Bill—*Ordered* (*Sir Henry Selwin-Ibbetson, Mr. James Lowther*); *presented*, and read the first time [Bill 225] 1994

PARLIAMENTARY REPORTING—

Ordered, That the Select Committee on Parliamentary Reporting do consist of Seventeen Members: — That Sir HENRY HOLLAND, Mr. HUTCHINSON, Mr. COWEN, and Major ARBUTHNOT be added to the Committee,—(*Mr. Chancellor of the Exchequer.*)

TWENTY-FIRST PARLIAMENT OF THE UNITED KINGDOM.

LORDS.

SAT FIRST.

THURSDAY, MAY 16, 1878.
The Lord Somerhill, after the death of his Father.
TUESDAY, MAY 21.
The Lord Middleton, after the death of his Father.
THURSDAY, MAY 23.
The Lord Clements, after the death of his Uncle.
FRIDAY, MAY 24.
The Viscount Melville, after the death of his Brother.
The Lord Grantley, after the death of his Great-Uncle.
MONDAY, JUNE 3.
The Lord Hastings, after the death of his Father.

COMMONS.

NEW WRITS ISSUED.

THURSDAY, JUNE 6, 1878.
For *Southampton*, *v.* The Right Hon. Russell Gurney, deceased.
FRIDAY, JUNE 7.
For *Rochester*, *v.* Philip Wykeham Martin, esquire, deceased.

NEW MEMBERS SWORN.

THURSDAY, MAY 16.
Western Division of the County of Kent—Viscount Lewisham.
Borough of Carmarthen—Benjamin Thomas Williams, esquire.
MONDAY, MAY 20.
University of Oxford—John Gilbert Talbot, esquire.
Reading—George Palmer, esquire (*Affirmation*).
TUESDAY, MAY 21.
County of Down—Viscount Castlereagh.
MONDAY, JUNE 17.
Rochester—Arthur John Otway, esquire.
Southampton—Alfred Giles, esquire.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

FIFTH SESSION OF THE *TWENTY-FIRST PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 5 MARCH, 1874, AND THENCE CONTINUED
TILL 17 JANUARY, 1878, IN THE FORTY-FIRST YEAR OF THE
REIGN OF

HER MAJESTY QUEEN VICTORIA.

FOURTH VOLUME OF THE SESSION.

HOUSE OF LORDS,

Thursday, 16*th May*, 1878.

MINUTES.]—*Sat First in Parliament*—The Lord Somerhill, after the death of his father.
PUBLIC BILLS—*First Reading*—Public Health Act (1875) Amendment * (85).
Second Reading—Elementary Education Provisional Order Confirmation (London) * (67); Elementary Education Provisional Orders Confirmation (Birmingham, &c.) * (68); Customs and Inland Revenue *.
Third Reading—Factories and Workshops (57), and *passed*.

FACTORIES AND WORKSHOPS BILL.

(*The Lord Steward.*)

(NO. 57.) THIRD READING. BILL PASSED.

Bill read 3^a (according to Order) with the Amendments.

On Question that the Bill do pass,

THE EARL OF SHAFTESBURY, who had presented Petitions from the Walsall Trades' Council, from the United Chainmakers' Association, and others praying that the Bill might be amended by the insertion of a clause providing that no girl under 16 years of age might be engaged in that work, said, that the observations he was about to offer were, by no means, by way of obstruction to the Bill—on the contrary, he was most anxious that the Bill should pass; but he must say there was a serious omission from it, inasmuch as the nail and chainmakers were not included among the trades subject to its provisions. They were a large body, especially in the neighbourhood of Walsall, and much of their work was done by women and girls; yet for girls under 16 engaged in nail and chain-making there was no protection in the Bill. On a former occasion, he had expressed his opinion that the provisions of the Bill were very valuable, and that for such legislation Mr. Cross deserved great credit; but, before the passing of the Bill, he thought it right to say that on a future occasion the nail and chain-makers would make application to Parliament to be included within the protective clauses of the Act. He should be glad to learn the reason—if there was any—for this omission. The noble Earl then proceeded to say: Now, my Lords, with the permission of the House, I will make a passing observation upon the melancholy and awful state of things now prevailing in certain districts of the County of Lancashire. I do not presume to give an opinion—if, indeed, I have one—on the respective position of the two parties—the employer and the employed. I believe, however, that each side is fully and conscientiously convinced that it is in the right. I wish to say a word or two in respect of the operative class—that operative class with which I have so long associated, and which I have so long known—and my main object is to express a decided opinion—and here, at least, I may be allowed to have one—that the sad disorder and outrages which have disgraced those localities were the work of the idle, the vagabond, and the worthless, of which there is everywhere so large a supply—especially in our large towns and cities. I verily believe the vast bulk of the operatives whom I have so long known and valued are most anxious to obtain their ends by just and peaceful means; but, at the same time, I feel bound to say of them, as their old friend and associate, that it is the duty of the mass of operatives, who are peacefully disposed to render every assistance to the constituted authorities, and to come forward at once and declare that they have not had, and that they will not have, any measure in the line of conduct which can only bring on universal disgrace and ruin.

Lord WINMARLEIGH said, he fully concurred in the observations of the noble Earl, who had had for so many years the interest of the working classes at heart, and felt sure that the words he had uttered that evening would have the happiest effect in putting an end to the disturbances that were now occurring; indeed, he was firmly convinced that had the operatives of Lancashire listened to the observations of their intelligent leaders, the disgraceful proceedings which had taken place at Blackburn, and elsewhere in Lancashire, would never have occurred.

Lord BALFOUR of BURLEY said, that as a Member of the Commission which had sat to inquire into the operation of the Factory Acts, he should like to say a word or two on the first part of the noble Earl's speech. He knew very well the high authority which the opinion of the noble Earl carried with it; but he ventured to think that the Commissioners were justified by the evidence in making the recommendations they had, and that Her Majesty's Government were perfectly right in having drawn the Bill in the shape in which it was put before them. In regard to the nail and chain-makers, the Commission had a considerable conflict of evidence before them as to the effect of the trade of nail and chain-making on health. They sat in various towns in the Black Country, and took a great deal of evidence upon the question; and the general effect of it seemed to be that the occupation in question was not, on the whole, detrimental to the health of those engaged in it, and it was not carried on in large factories. But it was to be remarked that the great mass of the evidence they received in favour of extending the restrictions to those young women engaged in those trades came from men. The men felt that the women were competing with them, and they openly admitted it was a wages' question. The Commission considered, also, whether they could draw any distinction between the various kinds of nails made, and they considered the question whether they could get any line of distinction between the heavier and lighter kinds of chains and nails. After a lengthened investigation, they came to the conclusion that they could not prohibit altogether the employment of women and young persons in those trades, provided the hours were not excessive. He did not think the noble Earl was correct when he said they had no protection. The Bill they were now about to pass extended the provisions of the Act under which they were now working, by which young persons must be employed between 6 in the morning and 8 in the evening. By the Bill, their work must now begin at 6 or 7 in the morning, and end at the same hours in the evening, and they were to be allowed during the day an hour and a-half for meals. The Committee came to the conclusion that the hours were not excessive. He thought the Bill would meet the requirements of the case, and would give great satisfaction.

Bill *passed,* and sent to the Commons.

ARMY RESERVE — ALLOWANCES TO FAMILIES OF RESERVE MEN.

ADDRESS FOR CORRESPONDENCE.

EARL DE LA WARR rose to move for recent Correspondence between the War Office and Boards of Guardians with reference to the allowances to the wives and children of the Army Reserve men who have been called into active service. In the few remarks which he wished to make on this subject, it was not his intention to ask Her Majesty's Government to anticipate what they might propose to communicate to Parliament at a future time; but it was, he thought, desirable that Parliament should know on what grounds the allowances proposed to be given had been fixed; and he thought, also, it would assist in giving this information, if the Correspondence to which he referred in his Notice of Motion were laid upon the Table of that House. The case, as their Lordships were aware, was a new one. It could not have occurred before in its present form, as this was the first occasion on which the Act of Parliament, under which the Army Reserve was called out, had been put in force. There arose, therefore, a new question—What was to be done to provide for the families of those men? It might be argued that they should be treated in the same way as the families of other men in the Army were treated. But it must be remembered that those men, in many instances were, when they were called out, in a different position from what they were when they first entered the Army. Since they had retired into the Reserve, not a few had become settled in comfortable homes, and were engaged in employments where they were in the receipt of good wages. Many, for instance, were servants of railway companies, and were filling places of trust. But, by the summons which they had received, and which had been so readily responded to, much had of necessity been given up, and their families had become dependent upon other means of subsistence. It had been communicated officially by the Secretary of State for War that a fixed allowance would be given to the wives and children of those Reserve men, and that the sum so fixed was 6*d.* a-day to the wife and 2*d.* a-day to each child. Now, it seemed to him that those sums could hardly be considered adequate as a means of support, and he did not believe it would satisfy the country as sufficient. In consequence, applications had been made to Boards of Guardians for further assistance, and a question had arisen whether out-door relief from the poor rates should or should not be given, and whether what was called the workhouse test should be applied? Now, he must say he was one of those who thought that this question ought not to have arisen. He could hardly conceive anything more detrimental to the well-working of the system of the Army Reserve than this—that the family of a man, who had readily and cheerfully obeyed the summons to serve his country, should be compelled to resort to parish relief, and even, perhaps, to the workhouse, to mingle with the idle and, it might be, with the worst class of the population. Not only, moreover, would it be a burden which ought not to be thrown upon the ratepayers, but he did not believe that the country would look with any degree of satisfaction upon such a result. But it must come to this if the allowance were not increased. He would ask — Was it possible that a woman could live on 6*d.* a-day and a child upon 2*d.* a-day in decent respectability to provide everything? and if there were small children to be taken care of, nothing more could be earned. Even if the husband should be able to save something out of his pay, it could not be more than would suffice for the house rent. It seemed to him that the case should be regarded as exceptional, and might be dealt with in an exceptional manner, without establishing any inconvenient precedent. It was considered so by the Act of Parliament, which treated it as a case of emergency. The country desired that adequate provision should be made for the families of those men, to enable their families to remain in comfortable circumstances until they could return to the position they had formerly occupied.

Moved, That an humble Address be presented to Her Majesty for recent Correspondence between the War Office and Boards of Guardians or members of Boards of Guardians relative to allowances to wives and children of the Army Reserve men who have been called into active service.—(*The Earl De La Warr.*)

LORD RIBBLESDALE said, he knew, from his own observations, in the case of some men of the Reserve who were now under his command, a good deal of distress was felt by their families in the interval between the time the men left home—namely, the 19th of April, and the issue of the War Office Instructions of May 3rd for the payment of the separation allowance monthly in advance to their wives and children. He did not think that the wives and children of any of the Reserve men should be thrown on the parish by reason of the men having obeyed the call made on them; but it must be borne in mind that the wives of those men were in the same position—or, rather, were not in as bad a position—as would be the wives of men who were now serving with the colours if the latter were sent into the field. The men of the Reserve had, as the noble Earl had stated, been in good employment, and had had an opportunity of making some provision for their wives, which it was hardly possible, even with the greatest self-denial, for the married soldier to do when serving with the colours. The question was a rather difficult one, and their Lordships should not come to a hasty decision with regard to it. It seemed to him, if anything extraordinary was to be done for the wives of the men of the Reserve, it ought to be out of Imperial, and not out of parish funds. The question was, however, one which ought to be considered carefully. Any off-hand opinions on it would be valueless.

VISCOUNT BURY said, that if, after the explanation he was about to give, his noble Friend still pressed for the Papers, his right hon. and gallant Friend the Secretary of State for War would have no objection to their production; but he thought that his noble Friend, knowing what he was going to say to the House, ought to have framed his Motion rather differently. Only seven or eight Papers of the description of those referred to by his noble Friend had reached the War Office from Boards of Guardians, and not one of them touched the point which was the mainspring of his noble Friend's speech. If the noble Earl thought that in obtaining those Papers he would get some support for the proposition that the allowances granted to the wives and children of men of the Reserve was not sufficient, he might tell him that no such allegations were made in any one of the communications from Boards of Guardians. He would not follow the noble Earl in the questions he had raised. As had been well remarked by the noble Earl, the question of the sufficiency or insufficiency of the provision made for the wives and children of those men was one which ought not to be decided off-hand, and on a side issue of a very different kind. If the noble Earl thought right to proceed with his Motion, he (Viscount Bury) should propose to omit the words "or number of Boards of Guardians," as some of these gentlemen might object to the production of what they might have written in their individual capacity.

THE ARCHBISHOP OF CANTERBURY said, he was glad that his noble Friend (Earl De La Warr) had called attention to this matter. It was a very important matter, and a large number of persons were interested in it who had no one to represent them either in that or the other House of Parliament. No doubt, cases of great hardship were not uncommon. Only that day a letter was placed in his hands representing the condition of a very respectable family in a small town of his diocese. The wife had lived in comparative comfort and affluence with her husband while he was at home; he had now obeyed the call made on the Reserves, and the wife was left in a state of absolute destitution, and with her young child was obliged either to starve or beg—the only other alternative was to apply to the parish. He hoped this was an exceptional case; but there could be very little doubt that, when the matter was fully stated, the Government and the country would be fully alive to the importance of the matter. Everything which threw light on the question was most important. What could be more detrimental to the public service than that the idea should spread among the labouring class that when they were willing to serve their country—as it must be admitted they were—the country was indifferent to the sufferings of those near and dear to them? He did not believe that either the Government or the country was really indifferent to them; but the labouring classes had no knowledge of what was being done in the matter, and everything which threw light on the circumstances would do good as tending to dissipate an impression which certainly, to some extent, and not unnaturally prevailed, and which was calculated to do a great injury to the public service.

The Duke of CAMBRIDGE wished to express his opinion that this question was a most important one—no doubt, it was a difficult question also. He, for one, thought that when men came forward, through a sense of duty, and in response to the call of their Sovereign, their families ought to be supported. He had never been more distressed than on hearing that some of the wives and children of the Reserve men would be obliged to seek parochial relief; and it had even been suggested that the wives of men of the Reserves, who could not support themselves and their children, should have the workhouse test applied to them. He objected altogether to such treatment. What was needful should be done direct by the Government, and he could not for a moment suppose that objections to that course would be raised on either side of the House of Commons. He could not doubt the feeling of the House and the country; but the question was a difficult, delicate, and intricate one, and would require very careful consideration. The cases were very different. The circumstances of the families of some of those men were good; those of others of them were comparatively bad. No hasty decision in the matter ought to be come to; but he hoped that, whatever was decided to be done, it would be done by a grant from Parliament, to be carried out by Government officers, and not by the parochial authorities.

Viscount CARDWELL said, he had heard the tone of this conversation with great pleasure. It was impossible to suppose that the Government and the country could have any ungenerous feelings in the matter; but he fully agreed in the remark that it would be imprudent of Parliament or the Government to express itself hastily on the subject. It was quite clear that this question must come under the consideration of Her Majesty's Government. It was as yet in its infancy, and a reasonable time must be allowed for due consideration how the emergency could best be met. He sincerely trusted that what the illustrious Duke had said would be borne in mind, and that no man's wife or children would be so dealt with that they or he should be regarded as paupers by reason of the fulfilment on his part of this honourable obligation to the Crown. At the same time, it must be remembered, also, that when they established the Reserve they made an important change. Under the former state of things, the theory was that the Army was a celibate Army. The permissions to soldiers serving in the ranks to marry were very few, and their position was exceptional; but when they invited 60,000 or 80,000 men to go into the Reserve, while giving the Government power to call on them to return to the standards in case of need, they virtually invited them to enter civil life, to marry, and to maintain themselves. A great many difficult questions naturally followed. At first, the number entering the Reserve were few—they were now increasing in considerable numbers year by year, and the question, therefore, was becoming of more and more importance. He was willing to believe that the Government would deal with the matter in a just, fair, and generous spirit; but he hoped that nothing would be done hastily. He thought the premature publication of isolated and, as yet, unconsidered cases of hardship might be mischievous, and could do no possible good. What the country would want to know was not what complaints had arisen, but how these complaints had been dealt with and redressed. He was willing to repose confidence in the Government, believing that its proposals would be generous, and such as to meet the necessities of the case.

The Earl of LIMERICK said, that although, in his opinion, the allowances were sufficient in the majority of cases, no doubt, there had been cases of hardship. The question was a difficult one, and careful inquiries should be made to test the statements of women representing themselves to be wives of men of the Reserve.

Lord WAVENEY was understood to suggest that a voluntary effort to assist the wives and families of the Reserve men ought to be encouraged.

The Earl of BEACONSFIELD hoped that his noble Friend would withdraw his

Motion for the production of the Papers. The subject was one of a very interesting character. It had already engaged the attention of the Government, and, indeed, of the country. One change had already been made. The wives and children of the men of the Reserve were now receiving money in advance instead of in arrear—which, of course, was an advantage, and which showed that the matter was one to which the Government were not indifferent. The production of the Papers asked for by his noble Friend would lead to a false impression, and, therefore, he hoped his noble Friend would not press for them.

Motion (by leave of the House) *withdrawn.*

House adjourned at Six o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, 16*th May*, 1878.

MINUTES.] — New Members Sworn — Viscount Lewisham, *for* Western Division of the County of Kent; Benjamin Thomas Williams, esquire, *for* Borough of Carmarthen.

Supply — *considered in Committee* — Civil Service Estimates, Class II.

Private Bill (*by Order*) — Dublin, Wicklow, and Wexford Railway, 2°.

Public Bills—*Ordered*—*First Reading*—Under Secretaries of State * [181]; Lord Clerk Register (Scotland) * [182].

Second Reading—General Police and Improvement Provisional Order (Paisley) * [170]; Local Government Provisional Orders (Birmingham, &c.) * [165]; Public Health (Scotland) Provisional Order (Lochgelly) * [171].

Committee — Sale of Intoxicating Liquors on Sunday (Ireland) [44]—R.P.

Third Reading—Acknowledgment of Deeds by Married Women (Ireland) * [173], and *passed.*

PRIVATE BUSINESS.

DUBLIN, WICKLOW, AND WEXFORD RAILWAY BILL.—[*Lords.*]—(*by Order.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. M. BROOKS said, he felt it an imperative, but disagreeable and painful, duty to move that the second reading of the Bill be postponed until that day six months. He was induced to take this course from peculiar circumstances. Most English Members of Parliament had been in Ireland, and the majority of them travelled by way of Holyhead and Kingstown, passing in their way over a short section of railway, about six miles in length, from Kingstown to Dublin. Most of them, therefore, had an opportunity of judging whether that line was well or badly managed. He was of opinion—and he was fortified in that opinion by the declaration of the great majority of the citizens of Dublin—that the line had been mismanaged in a manner that reflected great discredit upon the Directors—most of them respectable, intelligent, and wealthy persons—and so mismanaged that it had materially injured the trade and property of the inhabitants of the district. Such being his opinion, he had felt it his duty, early in the Session, to call the attention of the Board of Trade to the subject, and to request them to institute an inquiry. The Board of Trade, accordingly, sent down Major-General Hutchinson, one of the Railway Inspectors of the Board, to the City of Dublin. That gentleman had made an inquiry, and had presented a Report, a copy of which he (Mr. Brooks) held in his hand, and which he would read in part. It was better, he thought, that he should take the observations of Major-General Hutchinson, rather than offer his own view of the facts. He had, however, found it impossible to devise any means for rectifying the abuses under which the citizens of Dublin suffered, except by an appeal to Parliament, fortified by a Report from the Board of Trade; because no Committee sitting upstairs upon the present Bill could deal with the question, as no one would have any *locus standi* before it. The Board of Trade had no power to deal with anything affecting simply the comfort of the passengers, and had no power to revise the fares, however excessive they might be. Neither the Board of Trade, nor any other public authority, had any power to compel the Railway Company to improve the railway carriages, no matter how discreditable they were. The Board of Trade had, however, placed in his hands a copy of the Report of Major-General Hutchinson as to the condition of things on the line between Dublin and Kingstown. Major-General Hutchinson held his inquiry on the 30th of March, and he reported that the stations between Dublin and Kingstown—namely, Lansdowne Road, Sidney Parade, Booterstown, and Blackrock—were one and all deficient in that accommodation as regarded waiting-rooms, water-closets, and platform-shelters, which might reasonably be expected upon a railway having a large suburban traffic. Major-General Hutchinson pointed out that at Lansdowne Road the shelter on the down platform consisted of an open shed; at Booterstown there was no ladies' waiting-room, although it was the most important station between Dublin and Kingstown. Not only was there no ladies' waiting-room, but there were no water-closets or urinal, and the platform at all of the stations, with the exception of Lansdowne Road, varied from 19 inches to 22 inches above the rail levels. Most of the carriages had only one step, so that infirm persons experienced considerable difficulty in stepping in and out of the carriages. It was hardly necessary to remind the House that within the last few days one of the oldest and most respected Members of the House came to an untimely death on account of the defective arrangements at one of the London stations. Yet this was one of those defects which was capable of very easy remedy. In addition, there were no bridges or subways for communicating from one platform to the other, and, according to the Report of Major-General Hutchinson, this formed a constant source of danger, particularly at Booterstown, where the up and down trains stopped simultaneously, and very frequently. The complaint he had made to the Board of Trade was under various heads. One related to the accommodation at the different stations, and another to the excessive amount of the fares. Major-General Hutchinson stated that, whilst upon the Dublin and Kingstown Railway—a line six miles in length—the second-class subscription ticket was £12, the subscription for a similar distance on the London and North-Western Railway was only £7; on the London, Brighton, and South Coast, £6 10*s*., or 45 per cent less; on the Great Eastern, £7 10*s*.; the Great Northern, £7; the London, Chatham, and Dover, £7 10*s*.; and upon a line at Belfast, of a somewhat similar suburban character, while the second-class subscription ticket between Dublin and Kingstown was £12, between Belfast and Bangor, for the same distance, it was only £8. The Dublin, Wicklow, and Wexford Company were established in the year 1848, and in 1856 they obtained a lease of the Dublin and Kingstown line. They obtained it on terms stated in the Preamble of their Bill—that if they obtained the lease, they would work the line more beneficially for the public. They obtained the lease on this understanding, and they immediately raised the fares, one and all, instead of reducing them; and the result was, that whereas the old Dublin and Kingstown Company were able to pay a dividend of 10 per cent upon the low and moderate and reasonable fares which they exacted, while happily for the citizens of Dublin they had the management of the line, the Company promoting the present Bill were able, by raising the fares, to extract from the unfortunate persons who lived on the line such further sums as enabled the two Companies to divide upon their capital the enormous dividend of 17½ per cent. Under the old system there was a return ticket of 6*d*. issued in the morning to workmen. The new management abolished this return ticket, and increased the second-class return ticket from 1*s*. to 1*s*. 2*d*. Major-General Hutchinson concluded his Report by stating that whereas, under the Act of 1856, by which the present Company leased the Dublin and Kingstown line, they were to make more advantageous arrangements for the public service, they had, in fact, exacted fares which, especially for season tickets, were unreasonably high. Major-General Hutchinson further stated that the complaints with regard to the want of reasonable accommodation of small-sized stations and the height of the platforms were well-founded; and, seeing that the Company were in a prosperous condition, the public had a right to expect accommodation of a superior class and character. The Company were now seeking to extend their powers; and he (Mr. Brooks) asked that Parliament should refer the complaint of Major-General Hutchinson and of the citizens of Dublin either to the Board of Trade, or to some independent authority, which should decide that, in acceding to the present project, there should be some assurance on the part of the Company that they would mitigate the grievances of which Major-General Hutchinson complained. He begged to move that the Bill be read a second time on that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Maurice Brooks.*)

Question proposed, "That the word 'now' stand part of the Question."

Sir GEORGE BOWYER, as Member for the County of Wexford, thought it was necessary that he should explain the reasons which induced him to oppose the Motion. The objections which had been urged by the hon. Member for Dublin did not touch the principle of the Bill, and were such as could be best dealt with when the Bill came before a Committee upstairs. The hon. Member had not said a word against the second reading of the Bill; and he therefore hoped the House would pursue the course which was usually taken in these cases, and read the Bill a second time, leaving its provisions to be considered by a Select Committee.

Sir JOSEPH M'KENNA could not concur in the views of the hon. Member for Dublin, who had moved the rejection of the Bill, and quite agreed with the hon. Baronet opposite, that most of the questions which had been referred to by his hon. Friend were questions for the consideration of a Committee upstairs rather than for the House. He was sorry to add, however, that it would not be within the province of a Committee upstairs to consider all these questions. While he hoped the Bill would be read a second time, he had no desire that it should be read under the impression that the matters complained of which affected the Dublin and Wicklow traffic could be remedied by a Committee upstairs. The object of the Bill was to enable the Company promoting it to make a continuation of their line from New Ross to Waterford; and he thought it would be altogether a mistake to prevent the only Company which was able to do this from carrying out that work because another complaint, upon an entirely different matter, had been made against them. For his own part, he did not think they ought to stop a public work that would be, on the whole, beneficial to the country, because the Company who were promoting the Bill had been in other respects negligent, and had not considered the interests of the City of Dublin. Although he generally acted with his hon. Friend the Member for Dublin, he could not agree with him on this occasion, but would support the second reading of the Bill.

Major O'GORMAN expressed a hope that his hon. Friend the Member for Dublin would withdraw his opposition to the Bill. He had never in his life heard a weaker argument than the one which his hon. Friend had brought forward. The Bill was promoted by the Dublin, Wicklow, and Wexford Railway Company. It was originated in the House of Lords, and it had gone through every stage required by the Standing Orders of both Houses of Parliament. It had been twice referred to the Examiners of Private Bills, and had been passed by them, notwithstanding opposition and the complaint that the Standing Orders had not been complied with. It had been referred by the House of Lords to a Select Committee, by whom it had been carefully considered before it was passed and reported. His hon. Friend appeared to have completely lost sight of the main object of the Bill, which was to construct a new line. His hon. Friend, he hoped unintentionally, had endeavoured to throw dust in the eyes of the House. The object of the Bill was to construct a line, which was urgently required in the public interests, extending from the town of New Ross to the Waterford and Dungarvan Railway terminus in the City of Waterford. If the opposition to the measure were successful, no railway could be made between these two important towns. And, in regard to that opposition, so far as the inconveniences now sustained in connection with the Dublin and Kingstown line were concerned, he was authorized to say that a contract had already been entered into for the building of a new station at Westland Row, which would cost £75,000. He was free to confess that the present station at Westland Row was disgraceful; but after the £75,000 had been spent upon it, it would not be so. The Company were also about to enter into contracts for taking land, which would enable them to improve the condition of all the stations on the line. Under these circumstances, the objections urged by his hon. Friend fell to the ground at once. He hoped the House would not assent to the Amendment, which, if carried, would prevent an important railway communication being made between the town of New Ross and the City of Waterford.

Mr. SULLIVAN suggested, as an Amendment to the Motion of the hon. Member for Dublin, that in place of postponing the second reading of the Bill for six months, it should be postponed for three or four weeks. The object of his hon. Friend would be fully attained by taking that course, and time would be given to enable the Report of Major-General Hutchinson to be circulated and made known among the Members of the House. Although differing from the hon. Member for Dublin to a certain extent, he wished to remind the House that if Westland Row station was going to be improved in any way it would be because of the action taken on the floor of that House by his hon. Friend. The improvement of that station was certainly necessary in order to wipe out a great scandal from the railway management of Ireland. The only reason why the present Bill was opposed was that it was promoted by a Company who had the management of the Dublin and Kingstown line. That had been execrably mismanaged. It was the filthiest line in the whole Empire, and Irishmen felt keenly that it would be a bad line even for the wilds of Connemara. Unfortunately for the character of the country, it was the line which English tourists first encountered when they crossed the Channel from Holyhead, and they naturally turned up their noses at what they considered a very dirty way of doing business. As to the grand Westland Row terminus that was to be built, he could only say that one of the humorous traditions of Dublin, in reference to the management of the Dublin and Kingstown line, was that the most remarkable event in the history of the line occurred within the last 10 years when, on the occasion of a member of the Royal Family going over, a porter was actually seen brushing out the railway carriages with a broom.

Mr. RAIKES hoped the hon. Member for Dublin (Mr. M. Brooks) would not put the House to the trouble of dividing on the second reading of the Bill. The hon. and learned Member who had just spoken had expressed himself in terms certainly very strong; but he dare say not at all stronger than were deserved, of the management of the railway between Dublin and Kingstown; but, at the same time, he thought the suggestion made by the hon. and learned Member for Louth was one that would hardly recommend itself to the House on further consideration. The hon. and learned Member suggested that the Bill should be delayed for three weeks or a month, in order that the Report of Major - General Hutchinson should be studied by the House. He did not question that that Report might be studied with advantage; but he did not see what contribution its consideration would bring to the final conclusion to be arrived at with regard to this particular spur of the Dublin, Wicklow, and Wexford Railway. The object of the Bill was to make a small extension of the main system of the Dublin, Wicklow, and Wexford Railway—namely, from the town of New Ross to Waterford, and it did not apply to the Dublin and Kingstown line at all. He believed that the proposition embodied in the measure met with the approval of the landowners in the locality. It was supported by one of the Members for the City of Waterford (Major O'Gorman), and also by the hon. Members for Wexford and Youghal (Sir George Bowyer and Sir Joseph M'Kenna), who were supposed to represent the views of that part of the country. Under these circumstances, he did not think the City of Waterford and the town of New Ross ought to be deprived of the substantial benefit which they would derive from the construction of this railway. He agreed with the hon. Member for Youghal (Sir Joseph M'Kenna), that the objections to the Bill were not in the nature of objections which could be raised before a Committee on the measure, because the hon. Member for Dublin would have no *locus standi* before a Committee, and the Corporation of Dublin, who had been allowed a *locus standi* with regard to certain matters, had not raised the objections urged by the hon. Member. He (Mr. Raikes) thought that, upon the whole, it would be a pity to punish the people of Waterford on account of the defects of a railway between Dublin and Kingstown; and it might be taken for granted, that now the attention of the Board of Trade had been called to the condition of the latter line, matters would not be allowed to rest where they did, but that something would be done with a view of insuring improvement. On this occasion he supported the second reading of the Bill, and he saw no reason why the House should refuse to send it to a Select Committee.

Mr. H. HERBERT concurred in the remarks which had been made in regard to the disgraceful state of the Dublin and Kingstown Railway. It had been spoken of repeatedly, and he hoped there was at length some chance of obtaining some improvement of the line. The Report of Major-General Hutchinson concerned not only the Members of that House, but the whole of the public. The condition of the Dublin and Kingstown line was disgraceful, not only to the people of Ireland, but to the public at large. In journeying between London and Dublin the traveller, on his arrival at Kingstown, had to get ashore as he best could. Not unfrequently he was obliged to wait for half or three-quarters of an hour until the mails were got on shore. All the Company cared about was the mails, and they did not care a straw about the comfort or convenience of the passengers or men of business. He thought it would be disgraceful to allow this state of things to be continued.

Sir ARTHUR GUINNESS said, he had been authorized, by the Railway Company who were promoting the present Bill, to state that the Report of Major-General Hutchinson would receive its fullest and most liberal consideration, and that many of the suggestions contained in the Report were in the course of being carried out. He had no doubt that the present condition of the Dublin and Kingstown Railway was, in many respects, very unsatisfactory; but he believed there was every desire to effect an improvement, and he trusted the hon. Member for Dublin, under the circumstances, would withdraw the Motion he had made.

Mr. BIGGAR agreed with the hon. Member for Dublin that all the arrangements affecting the Dublin and Kingstown Railway were of a most disgraceful character, and that it was perfectly legitimate to place pressure upon the Company, in order to compel it to reform its system of management, even by postponing the consideration of a Bill for another and independent line until some sort of security was obtained that the necessary reforms would be carried out. The general assurance given on the part of the Railway Company by the hon. Baronet the Member for Dublin (Sir Arthur Guinness) was by no means satisfactory or sufficient. All the Company promised was that they would take the Report of Major-General Hutchinson into favourable consideration. They knew perfectly well in that House what "favourable consideration" meant. It meant, in most cases, that there would be no more consideration on the subject, but that it would be quietly shelved. If the Bill were postponed for three or four weeks, the Company would probably be induced, in the meantime ,to give a *bonâ fide* undertaking, in the form of a clause to be introduced into the Bill in its passage through Committee, binding themselves to carry out the reforms which were necessary, and which were asked for. One very strong argument for the adoption of this course had been supplied by the hon. Member for Chester (Mr. Raikes), when he stated that the hon. Member for Dublin (Mr. Brooks) had no *locus standi* to appear before the Committee in opposition to the Bill, and, further, that the Corporation of Dublin, as a Corporation, had no power to appear for the purpose of obtaining the improvement of any railway station beyond the scope of the present Bill. He thought the suggestion of the hon. and learned Member for Louth (Mr. Sullivan) ought to be agreed to. At the same time, the arguments of the hon. and gallant Member for Waterford (Major O'Gorman) were entitled to great weight; but, unfortunately, the promoters of the Bill, if they obtained their Act, could snap their fingers at the passengers, and the result might be that the reforms that were asked for would never be carried out. For these reasons, he hoped that the further consideration of the project would be postponed, and that an opportunity would be afforded to the House of forming an opinion as to the value of the reforms which were required by the public, and the promises made by the Company to carry them out.

MR. M. BROOKS said, he felt that there was considerable force in the observations which had been made by his hon. and gallant Friend the Member for Waterford—that the residents in one district ought not to be punished, by retarding the construction of a line, in consequence of the mismanagement of the Directors in regard to another part of their system. Therefore, with the leave of the House, he would withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed.*

CHESTER TRAMWAYS BILL.

Ordered, That the Chairman of the Select Committee on Standing Orders be appointed Chairman of the Committee on the Chester Tramways Bill.—(*The Chairman of Ways and Means.*)

QUESTIONS.

STREET TRAFFIC—MILITARY BANDSMEN.—QUESTION.

MR. BIGGAR asked Mr. Attorney General, If it is a criminal offence, punishable by summary conviction, for Volunteer and other regimental bandsmen to play tunes while marching through the streets of London or other English cities and towns; if Military have any greater privileges than civilian bandsmen as to playing tunes through the streets of English or Irish cities and towns, and, if so, under what statute; and, if, where there is no local Act or Corporation bye-law to extend the ordinary common and statute law, it is lawful for magistrates in Ireland summarily to convict and fine or imprison Military or civilian bandsmen for playing tunes while marching through the streets of Irish cities and towns as English bandsmen were constantly doing everywhere through England?

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD): Sir, in the absence of my hon. and learned Friend the Attorney General, who is unable to be here, I beg to answer the hon. Member's Question. In the terms in which he has put it, it is not a criminal offence in itself for Volunteer and other regimental bandsmen to play tunes while marching through the streets of large towns. The 27 & 28 *Vict.* c. 65 enables street musicians to be given into custody for playing in the street near a house after being required by the householder to depart. Neither military nor civil bands have any peculiar privileges; but, in fact, it would hardly be contended that military bandsmen, in the performance of their duty, were street musicians within the meaning of the Act. I have said it is not an offence in the language of the hon. Member's Question; but it must be remembered that neither street musicians, nor bandsmen, nor anybody else are entitled to obstruct the Queen's Highway; and, treated as an obstruction, which it sometimes is, a band may be made a subject of punishment on summary proceedings both in England and in Ireland.

PARLIAMENT—LIABILITIES OF EMPLOYERS AND WORKMEN—LEGISLATION.—QUESTION.

MR. PULESTON asked Mr. Attorney General, Whether he will be prepared to introduce a Bill to regulate the Liabilities of Employers and Workmen this Session; and, if so, whether he can state the time?

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD), in reply, said, that a Bill dealing with the subject of the hon. Gentleman's Question was in course of preparation, and would shortly be introduced.

PARLIAMENT—CORRUPT PRACTICES BILL—LEGISLATION.—QUESTION.

SIR CHARLES W. DILKE asked the Secretary of State for the Home Department, When the Corrupt Practices Bill will be introduced?

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD), in reply, said, that in the present state of Public Business it was impossible to give an absolutely definite answer to the Question, but that the Government hoped shortly to bring in a Bill.

SUPREME COURT OF JUDICATURE ACT, 1873.—QUESTION.

MR. WADDY asked the Secretary of State for the Home Department, Whether his attention has been directed to the 75th section of "The Supreme Court of Judicature Act, 1873," which provides that a council of the Judges of the Supreme Court shall assemble at least once in every year, at a time fixed by the Lord Chancellor, to consider the operation of the Act, of the rules of Court, and other matters, and shall report annually to one of Her Majesty's Principal Secretaries of State what, if any, amendments or alterations it would in their judgment be expedient to make in the Act, or otherwise relating to the administration of justice; whether the Lord Chancellor has ever fixed a time for the holding of such annual council; whether such annual council has in fact ever been held; and, whether such reports have been duly made at any time since the passing of the Act; and, if so, whether he will lay them upon the Table of the House?

Sir MATTHEW WHITE RIDLEY, in reply, said, that he had been informed that since the passing of the Supreme Court of Judicature Act rules of Court had been passed from time to time, all of which rules had been laid before both Houses of Parliament, in conformity with the requirements of the Act. Councils of the Judges of the Supreme Court under Section 75 of the Act of 1873 were held on November 20, 1876, and again on December 15, 1877; and at these councils it was determined that sufficient time had not been given for the working of the Supreme Court of Judicature Act to render it expedient to make any alteration or amendment which could not be carried into effect without the authority of Parliament.

ARMY MEDICAL OFFICERS.

QUESTION.

Mr. MELDON asked the Secretary of State for War, If it is a fact that the garrison of Woolwich has been so denuded of medical officers that the Government has been obliged to sanction the employment of private practitioners to assist in taking medical charge of the soldiers and their families; whether many other garrisons have not been left short of Army medical men; and, whether it is true that more than £5,000 is required to pay private medical practitioners in attending the troops in the field at the Cape?

Colonel STANLEY: Sir, I am informed that the garrison at Woolwich has its full complement of medical officers, and no private medical practitioners are employed. Other garrisons, however, are short of medical officers. This is in some measure due to a number having been withdrawn temporarily for the purpose of undergoing special field training with the Army Hospital Corps at Aldershot. The increase of £5,000 referred to was taken for the employment of civil surgeons at the Cape, as it was found a more economical and desirable arrangement than an augmentation to the staff, as the services of these gentlemen will be dispensed with when no longer required.

MADRAS HARBOUR.—QUESTION.

Mr. SMOLLETT asked the Under Secretary of State for India, Whether Sir Andrew Clarke has inspected the harbour works at Madras, and has officially reported upon the present position of that undertaking; and, if so, if there will be any objection to lay Sir Andrew Clarke's Report upon the Table of the House?

Mr. E. STANHOPE: Sir, it appears from the Indian newspapers that Sir Andrew Clarke has recently visited Madras to inspect the harbour works, but no official Report respecting his visit has yet reached this country.

THE MILITARY FORCES OF THE CROWN—THE INDIAN CONTINGENT.

QUESTION.

Sir ALEXANDER GORDON asked the Under Secretary of State for India, Whether the Articles of War made by the Indian Government for the government of Her Majesty's Native Indian Forces, and those portions of the Indian Penal Code which are adopted as forming a part of those Articles of War, have any force within the Island of Malta?

Mr. E. STANHOPE: Yes, Sir. They will apply to the Indian troops at Malta.

SOUTH KENSINGTON MUSEUM—THE NATIONAL PORTRAIT GALLERY.

QUESTION.

Mr. BERESFORD HOPE asked the Vice President of the Committee of Council on Education, If he can state when the Educational Collection of South Kensington Museum will be removed from the apartments under the National Portrait Gallery, so as to enable that gallery to occupy the space?

LORD GEORGE HAMILTON: Sir, we are now in communication with the Treasury upon this subject; and as soon as arrangements can be made by which the Educational Collection can be transferred to another place, we shall be ready to vacate the apartments now occupied by it.

TURKEY—MURDER OF MR. OGLE.

QUESTION.

MR. H. SAMUELSON asked the Under Secretary of State for Foreign Affairs, Whether Mr. Consul General Fawcett's report of his investigation into the murder of Mr. Ogle by Turkish soldiers has arrived; and, if so, when it will be presented to the House; and, whether all documents relating to Mr. Ogle's murder at present in the Foreign Office will be laid upon the Table without delay?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I understand that the Report has not yet been received at the Foreign Office, but that it is expected shortly. When it arrives, the Government will lose as little time as possible in laying the Papers upon the Table.

POST OFFICE—MAIL CONTRACTS.

QUESTION.

MR. HOPWOOD asked Mr. Chancellor of the Exchequer, Whether it is the intention of the Government to invite tenders for a Contract or Contracts to carry the Mails on the termination of that now existing with the Peninsular and Oriental Steam Shipping Company; if so, when it is probable that advertisements will be issued for the purpose?

SIR HENRY SELWIN-IBBETSON, in reply, said, tenders would be invited on the termination, on January 1, 1880, of the existing contract. A Correspondence was now going on between the Home and Indian Governments as to the terms on which those tenders should be invited, and as soon as that Correspondence was completed the terms would be made known.

SCOTCH BUSINESS OF THE HOUSE.

QUESTION.

DR. CAMERON asked the Secretary of State for the Home Department, To state in what order he proposes to proceed with the various Scotch Bills at present before the House; and, whether it is intended to take up any of them before Whitsuntide?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, it was a matter of some difficulty to arrange when the Bills relating to Scotland could be brought forward; but his right hon. Friend (Mr. Assheton Cross) had sent him a note to the effect that he thought that the Roads and Bridges Bill might be taken at a Morning Sitting. The Government, however, could not make any positive promise on the subject. Due Notice would be given when the day was fixed. The Government would do their best to have the Bill brought on on Thursday. The Education Bill and the Endowed Schools Bill, having passed the House of Lords, were not so pressing. The Bills as to an Under Secretary of State for Scotland and the Lord Clerk Register, his right hon. Friend thought, might be taken on any convenient day that could be arranged.

ARMY—REGIMENTAL LIEUTENANT COLONELS.—QUESTION.

GENERAL SHUTE asked the Secretary of State for War, Whether he can take steps to stop the supersession of regimental lieutenant-colonels now taking place by the action of paragraph (f), Article 22, Clause 124, of the Royal Warrant of September, 1877, whereby their positions have suddenly and considerably been altered for the worse; whether, if (as sanctioned by this late Warrant) appointments which a captain would be competent to hold are to qualify for the rank of full colonel, it will not tend largely to increase the list of colonels, which it is an object to reduce; and, whether, instead of thus lowering the standard of practical military experience required for the higher ranks of the Army by allowing an increased number of small appointments to be considered as qualifying for full colonel, he will consider the advantage to the public service of reducing the number to those higher appointments only, in the fulfilment of which, a real qualification for high command is likely to be acquired?

COLONEL STANLEY, in reply, said, he was afraid that he could only answer very generally the Question of his hon.

and gallant Friend. A small Committee had been appointed to consider this subject. The Committee had presented their Report; but he thought that it would be necessary to refer it back to them with reference to certain particular points.

ECCLESIASTICAL SALARIES (INDIA).

QUESTION.

MR. BAXTER asked the Under Secretary of State for India, When the Return regarding Ecclesiastical Salaries in India, for which an Address was moved last Session, will be laid upon the Table of the House?

MR. E. STANHOPE: Sir, the Financial Department in India has been directed by the Government of India to prepare this Return, but it must necessarily take a considerable time, and I cannot at present say when it will be received.

TEACHERS AND SCHOOL RETURNS.

QUESTION.

MR. P. A. TAYLOR asked the Vice President of the Committee of Council on Education, Whether the following extract from a letter lately sent to the Wigan School Attendance Committee by Mr. Cumin is to be understood as showing a change of intention since the favourable answer given in this House by Viscount Sandon on the 21st March in respect to the claim of teachers to be paid for making out the returns required to be furnished:—

> "I am directed to refer you to paragraph 25 of the Minute which, in their Lordships' opinion, precludes the teachers of schools from demanding any fee for making the returns required under paragraph 8."

LORD GEORGE HAMILTON, in reply, said, that the letter referred to by the hon. Member, written by Mr. Cumin, was dated the 16th of March. That was five days before the answer given by his noble Friend (Viscount Sandon); and, therefore, his answer would not be affected by that letter.

THE PARIS EXHIBITION, 1878—ASSISTANCE TO ENGLISH ARTIZANS.

QUESTION.

MR. MELDON asked Mr. Chancellor of the Exchequer, Whether, having regard to the fact that the Royal Commissioners for the Paris Exhibition, 1878, have (out of the moneys granted to them by Parliament) voted the sum of £100 to assist English artizans to visit the Exhibition, the Government are prepared to recommend that a sum be granted out of the same funds for a similar purpose in aid of the subscription now being made in Ireland to assist the workmen of that Country to visit the Paris Exhibition?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the arrangement that has been made with respect to the grant for the Paris Exhibition is that it shall be entirely at the disposal of the Commissioners, subject to the control of the Treasury, and the necessity of providing proper vouchers. It would not be consistent with the arrangement that has been made that the Government should interfere in any way with the appropriation of that money, and such a suggestion as that contained in the hon. and learned Member's Question should be addressed to the Royal Commissioners themselves.

MR. LYON PLAYFAIR, as Chairman of the Finance Committee of the Exhibition, answering a further Question by the hon. and learned Member, said, that he would remind the House that in 1867 Parliament granted for the expense of the British section £130,000, and on this occasion had only granted £50,000. Therefore, great economy was required. The utmost the Commission could grant for the benefit of artizans visiting the Exhibition was £100, and this would be applied through the Society of Arts, who were gathering subscriptions in order, if possible, to send artizans from all parts of the United Kingdom.

COAL MINES—THE BLANTYRE COLLIERY EXPLOSION.—QUESTION.

MR. MACDONALD asked the Secretary of State for the Home Department, If his attention has been called to the Report of Inspector Moore as to the explosion which took place on the 20th August 1877, in the No. 2 Pit, Blantyre, in which he states—

> "That a fall of the roof took place in the waste close to them, which brought down some fire-damp. It ignited at their naked lights, and burned them both;"

whether Inspector Moore visited the survivor, Francis McMulty, to get any information as to the cause of the explosion to frame the Report, as the survivor alone could give a true account of the explosion; and, whether it be true that an order was given for the fireman Black to be prosecuted for a breach of the special rules; and, if so, why the prosecution was abandoned some time before the explosion on the 22nd October, by which he lost his life?

THE LORD ADVOCATE: Sir, I would remind the hon. Member that he has been long familiar with the terms of Mr. Moore's Report, and that Report correctly ascribes the death of one man and the injury of another to an explosion of fire-damp on the 20th of August, 1877. Inspector Moore did not visit the boy who was injured, because while in the pit he received information from a number of men who professed to have been present, and to have witnessed the accident. No order was ever issued, and therefore no order was cancelled for a prosecution against the fireman Black. It was the duty of the Procurator Fiscal to make an investigation, with a view to prosecute anyone concerned who might be legally liable for the result. The Procurator Fiscal had not completed his investigation at the time the second explosion took place, when Black lost his life.

MR. MACDONALD: The right hon. and learned Gentleman fails to notice whether Inspector Moore examined the boy or not.

THE LORD ADVOCATE: Sir, I was under the apprehension—misapprehension, it seems—that I had stated that Inspector Moore did not examine the boy because he had received in the pit information from persons who had seen the accident.

ARMY—THE RESERVE FORCES.

QUESTION.

MR. ALDERMAN M'ARTHUR asked the Secretary of State for War, Whether it is a fact that the wives of the men of the Reserve Forces who have been called out are required to produce certificates of their marriage and the birth of their children, involving a cost of about three shillings and seven pence for each certificate, before the allowance granted by Government is paid them; and, if so, what steps the Government will adopt to save these poor people from such expense?

COLONEL STANLEY: Sir, the regulations require no such certificates as those mentioned; but only a declaration to be made by the Reserve man when he first comes up for service with the Colours, in which he gives the particulars of his family.

COUNTY GOVERNMENT BILL—MANAGEMENT OF RIVERS.—QUESTION.

MR. ARTHUR PEEL asked the President of the Local Government Board, Whether, pending the passing of the County Government Bill, he will take any steps to carry out the recommendation of the Lords' Committee on Floods; and, whether he will introduce or facilitate any measure for placing the control and management of Rivers in the hands either of new Conservancy Boards or of existing Local Authorities?

MR. SCLATER-BOOTH, in reply, said, the clause referred to was inserted in the County Government Bill, not with the view of giving complete effect to the recommendations of the Lords' Committee on Floods, but with the object of taking a useful step in the direction indicated by that Report. The subject had not been lost sight of by the Government, and he hoped there would be more complete legislation with respect to it before long. He could not, however, give any assurance that he would lay on the Table any further measure dealing with it during the present Session.

MERCHANT SHIPPING—CARDIFF PILOTS.—QUESTION.

MR. PULESTON asked the President of the Board of Trade, Whether his attention has been given to the circumstances under which two Cardiff pilots were and are still suspended; whether the explanations which have been offered by the Cardiff Pilotage Board, in reply to a Memorial to the Board of Trade by the general body of Cardiff pilots against this suspension, are deemed to be satisfactory; if it be a fact that since these pilots were suspended several serious casualties have occurred to vessels while leaving the port of Cardiff; and, whether he is informed of the circumstances under which pilots were induced to take these vessels out?

VISCOUNT SANDON: Sir, my attention has been called to the circumstances to which my hon. Friend refers. The explanations which have been offered by the Cardiff Pilotage Board are not complete, and I have asked for further information from them. There is no record whatever in the Department of any serious casualties, other than collisions to vessels entering or leaving Cardiff, since the first pilot was suspended. The Receiver of Wreck for the district reports that "there have been some groundings where the damage has not been material," and none of these groundings have been of such a character as to necessitate their being reported as "casualties." Neither the Board of Trade nor their officer on the spot know anything of the circumstances in which pilots have been induced to take the vessels out.

DIPLOMATIC APPOINTMENTS — HON. COLONEL WELLESLEY, MILITARY ATTACHE.—QUESTION.

MR. BENETT-STANFORD asked Mr. Chancellor of the Exchequer, Whether the appointment of Military Attaché has ever been considered as a diplomatic appointment; whether any persons holding that position have ever been promoted into diplomacy in consequence; and whether on the contrary it has not always been held as a Military Staff appointment?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am informed that the appointment of a military *attaché* is made in the same way as that of all other *attachés*. When Colonel Wellesley's appointment was notified to our Ambassador at St. Petersburg, in 1871, his Excellency was told—

> "To consider Colonel Wellesley as part of his diplomatic establishment, and to employ him in the business of the Embassy in whatever way he might deem most beneficial to Her Majesty's service."

The expenses of military *attachés* were, until 1859, always charged on the Diplomatic Estimates, and military men have on several occasions been employed in the higher posts of the Diplomatic Service, without having passed through the rank of ordinary *attaché*. Colonel Rose, afterwards Lord Strathnairn, Colonel Staunton, and Colonel Mansfield are cases in point.

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL.

QUESTIONS.

THE O'CONOR DON asked Mr. Chancellor of the Exchequer, Whether, under all the circumstances connected with the Irish Sunday Closing Bill and the interest evinced in it, he will give any facilities for proceeding with the Bill at an earlier hour in the evening than would otherwise be possible?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I have always been most anxious, on the part of the Government, to fulfil the engagement which we entered into—that in the event of certain Amendments being adopted we should give facilities for the progress of the Bill. I understand that an agreement has been come to between the promoters and the leading opponents of the Bill that, if a fair opportunity is given for discussion, the discussion should take place on the merits of the clauses, and should not be merely of a dilatory character. In view of that arrangement, I have caused the Order for the Sale of Intoxicating Liquors on Sunday (Ireland) Bill to be placed as the second Order after Supply, and I propose to adjourn the Committee of Supply at a reasonable hour—say between 11 and 12—in order that there may be a discussion on the Bill.

MR. ONSLOW asked the hon. Member for Roscommon, Whether it is the intention of the Government to proceed with the Bill to-night; and, also, whether it is intended to put down the Bill for every Government night in the course of the Session?

THE O'CONOR DON, in reply, said, that the answer given by the right hon. Gentleman the Leader of the House was a sufficient reply to the first part of the Question; and of course, as the Government promised facilities for the Bill, it was his intention to proceed with it that night. With regard to the further progress of the Bill, he should certainly take every means in his power of pressing it on at any hour which the majority of the House thought a reasonable one for proceeding with it.

SIR JOSEPH M'KENNA asked, Whether the right hon. Gentleman the Chancellor of the Exchequer is aware that the agreement entered into upon the last occasion applied only to the 1st clause?

The O'CONOR DON said, by way of reply to the Question, he might at once say that it was not his intention to press the Bill farther than the 1st clause that night.

THE COTTON MANUFACTORIES—THE WAGES DISPUTE—RIOTS IN LANCASHIRE.—QUESTIONS.

Sir WALTER B. BARTTELOT wished to ask the Secretary of State for the Home Department a Question of which he had given private Notice—namely, Whether the right hon. Gentleman was in a position to state to the House any particulars as to the riots which had occurred at Blackburn and Accrington, especially with regard to the outrages which had been committed on the houses of Colonel Jackson and Mr. Hornby, what steps had been taken to suppress those outrages, and whether those steps had been successful?

Mr. DODDS said, the Question of the hon. and gallant Member had anticipated one on the same subject which he intended to put; but he begged further to ask, If the Secretary of State for the Home Department would be good enough to inform the House what steps had been taken for the protection of life and property in the disturbed districts?

Mr. ASSHETON CROSS: Sir, yesterday morning was the first time that I heard of these outrages, and of the burning down of Mr. Jackson's house. I immediately telegraphed to all towns where disturbances took place for full information as to the state of affairs, and asked what steps had been taken to preserve order. I found that the military had been called out before that time, and, in fact, before I received information of any rioting, though I am happy to say that no collision has taken place between the military and the persons inhabiting those districts. No one more deeply regrets than I do that the people should have committed outrages in any part of the country, and especially in my own county. The authorities are now, I believe, alive to the steps that they ought to take. I telegraphed again this morning that it was absolutely necessary that order should be preserved, and, at the same time, that I relied upon the greatest discretion being used on the part of the authorities in all those places where it was necessary to have the presence of a military force. I have received, within the last few minutes, the following telegrams, and, with the leave of the House, I will read them, as they give all the information I possess:—

> "From the Chief Constable of Lancaster county.—Rioting has been commenced at Burnley, where there are one hundred police, who have been reinforced by two troops of cavalry and the infantry stationed there. No disturbances in the country districts elsewhere have commenced at present; but I am apprehensive about Darwen. Three men shot and wounded near Accrington by private individuals (not by soldiers); particulars not yet to hand. No effort is being spared to restore order and to avert the actual employment of the military. The area now affected is very extensive, and the police have been for some days largely reinforced from other parts of the country. Since telegram was sent this morning military force has been withdrawn from Darwen, by order of the magistrates, and the Chief Constable fears that serious results may ensue."

That telegram was only received a few minutes ago, and I have not had time to reply to it. I have received the following telegram from the Mayor of Blackburn:—

> "Peace since noon yesterday. Night passed very quietly. Shall keep present military force until strike is ended. No further excitement."

The Mayor of Burnley telegraphs—

> "Thanks for your telegram. Town is still disturbed; but we have a good force, civil and military. Letter by this post."

The Mayor of Preston telegraphs—

> "There have not been any disturbances at present, but an uneasy feeling prevails among the operatives. All possible precautions have been taken. The excitement appears to be subsiding. Will write report by next post."

A telegram from Burnley, dated 2.40 to-day, says—"Quiet prevails. Military are patrolling the streets." I have received also a message from the Chairman of Quarter Sessions, saying that the magistrates are alive to the situation, and are taking every possible precaution.

Major O'GORMAN gave Notice of his intention to-morrow to ask the Secretary of State for the Home Department, Whether any effort on the part of Her Majesty's Government has been made, or is about to be made, to reconcile the unfortunate differences existing in Lancashire between the millowners and workers; whether it is true that in certain districts of Lancashire the operatives, having assented to the wages and conditions imposed by the masters, have notwithstanding been driven from their work by those very masters who have thus openly violated their own solemn engagements; and, whether, should the Government refrain from bringing about amicable relations between the mill-owners and the operatives, it is the intention of the Cabinet to proclaim the various towns where disturbances have occurred, as would long since have been done under similar circumstances in Ireland?

MR. SPEAKER: I have to acquaint the hon. and gallant Gentleman that the Question he has now offered to the House involves matters of argument, and it cannot be put in the form proposed to the Home Secretary.

H.M.S. "BEAGLE" — EXECUTION OF A NATIVE OF TANNA — JUDICIAL POWERS OF NAVAL COMMANDERS.

QUESTIONS.

In reply to Mr. GORST,

MR. W. H. SMITH said, that a Report had been received from Commodore Hoskyns in reference to the execution of a native of Tanna on board Her Majesty's ship *Beagle.* That Paper was being considered by the Admiralty, and would be laid on the Table in a few days.

In reply to Mr. CHILDERS,

MR. W. H. SMITH said, that the decision of the Admiralty with reference to the case would also be laid upon the Table at the same time.

REGISTRATION OF DEEDS (IRELAND) —REPORT OF THE ROYAL COMMISSION.

QUESTION.

In reply to Mr. OSBORNE MORGAN,

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, the Commission had been for some time engaged in collecting information and making due arrangements for the proper prosecution of the important inquiries intrusted to them. Their next meeting would, he believed, be held on the 24th of May, and after that he understood they would meet weekly. The time limited for the presentation of the Report was 12 months from the 22nd of January last; and there was no probability of their being able to present their Report before the close of the Session.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE BETHNAL GREEN MUSEUM.

RESOLUTION.

MR. RITCHIE, in rising to call attention to the arrangements for admission to the Bethnal Green Museum, and to move—

> "That it is desirable to give greater facilities for admission by extending the arrangements now existing on the three free days to five days in the week,"

said, the present arrangements were the same as those in existence at the South Kensington Museum; but arrangements which were suitable for the West End were by no means adapted to the East End of the town. For three days the Museum was open free from 10 A.M. to 10 P.M., and for three days it was open, on a payment of 6*d.* each person entering, from 10 to 6. That so many pay days, which had been instituted for the sake of students, were not wanted he would be able to show by figures. In the month of March the attendances on pay days only averaged 27 each day, whilst on free days the average was 3,346. On the pay days, therefore, the Museum was practically closed to the public; and he trusted the Government would see the advisability of agreeing practically with his proposal. He quite agreed there ought to be one pay day; because there were many persons, other than students, who wished to examine the works of Art when there were not such crowds present as on the free days. There was, no doubt, some question of expense with respect to gas; but he did not think the question of fees, considering how small they were, was worth considering.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is desirable to give greater facilities for admission to the Bethnal Green Museum, by extending the arrangements now existing on the three free days to five days in the week,"—(*Mr. Ritchie*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Lord GEORGE HAMILTON said, the Bethnal Green Museum had, since its opening, more than realized the most sanguine expectations which had been entertained with respect to it. As it was a local institution, and there were many similar institutions, the Education Department undertook to lay down its rules, and those rules were the same as were in force at South Kensington. At the latter place large numbers of persons made use of the Museum on pay days; but in Bethnal Green, the population being of a different character, the number of persons attending on pay days was comparatively small. The Government felt that as there had been a large expenditure on the Bethnal Green Museum, it should be utilized as much as possible. At the same time, it was necessary that any arrangement which might be made with that object should not afford a precedent for placing on the Treasury an undue expenditure for objects of a local character. Before making any considerable change it had been necessary to inquire into various points. The increase in the number of free days would cause a loss of a considerable portion of the fees, and, in addition, a large sum—something like £1,200 a-year—would have to be spent in gas. That was an expenditure he did not think the Treasury ought to undertake. Considering, however, the case which his hon. Friend had presented to the House, he did not think it would be unreasonable to increase the number of free days to five, on the understanding that on the two extra days the gas should not be lighted, but that the Museum should be closed at six.

Mr. RITCHIE said, he gladly accepted the proposal of the noble Lord, and hoped that he should obtain from him next year a still further concession.

Question put, and *agreed to.*

THE NORTHERN CIRCUIT—ASSIZES.

OBSERVATIONS.

Mr. PERCY WYNDHAM rose to call attention to the inconvenience arising from holding the Assizes for the Northern Counties at Manchester. The effect of the arrangements which previously existed was, he said, that many men committed for trial were detained in gaol for a number of months; and it was to obviate this that additional Assizes were instituted. The result was that prisoners, who would otherwise have been tried at Newcastle, Carlisle, and Lancaster, were now sent to Manchester, and the arrangement occasioned great inconvenience. Owing to the distance from their homes prisoners, on their discharge from prison, and those who were found not guilty, had great difficulty in getting back, and were, consequently, especially in the case of those who were youthful, exposed to great temptation. Then there was another and inevitable evil connected with the system. A man who was being tried near home could get witnesses on his behalf who would spare half-a-day or a day to give testimony in his favour; but it was difficult, if not impossible, to get men, especially of the working class, to travel from Carlisle to Manchester for that purpose. An additional Assize in each of the Northern county towns would meet the difficulty, and enable justice to be carried out with much greater certainty. Another point for consideration in connection with this matter was, that if a man were tried for a murder committed in a county where murder was a rare crime, or happened only once in three or four years, it was not likely that he would receive the same consideration from the jury if he was tried in a county, in every Assize calendar of which there were four or five murders put down for trial, as he would have if tried in the county where murders were rare. On that ground, it was undesirable to take men long distances from the scene of their offences to take their trial. He hoped the Government would see their way to adopting his suggestion.

Mr. ASSHETON CROSS said, the House had decided that prisoners should not practically be kept longer in custody before their trial than three months, and it had therefore been found necessary to hold the Assizes four times in the year. It was thought necessary, under the new arrangements, to try the experiment as to how far the grouping of counties could be carried out. He was quite willing to admit that this grouping had been carried out, in some instances, too extensively. He did not think it fair that prisoners from Carlisle should be taken all the way to Manchester for trial. And, as far as that was concerned, his hon. Friend might rest assured that it should not happen again. The question of grouping counties, and the making of the best arrangements for the holding of criminal Assizes, was at present under the serious consideration of himself, the Lord Chancellor, and many of the Judges; and, as they had not yet arrived at a definite conclusion, he hoped the House would excuse him if he did not go further into the consideration of the question.

Mr. PAGET contended that the convenience of localities should be fully considered in any fresh arrangements that might be made, and that too much consideration should not be given to the convenience of Judges in any re-arrangement of the Circuits.

Mr. FLETCHER was glad that attention had been drawn to so important a subject. He could corroborate all that the hon. Member for Cumberland (Mr. Percy Wyndham) had said; and he hoped the Government would be able to deal with the question in a satisfactory manner.

Mr. MORGAN LLOYD thought the whole plan of holding Assizes for the trial of criminal cases only should be revised. He saw no reason why the trial of civil causes should not be combined with the trial of criminal cases at all the Assizes. He hoped the right hon. Gentleman the Home Secretary would seriously consider the point, and that before long there would be one uniform system applicable to the trial of all cases alike.

Sir EARDLEY WILMOT said, that in common with those who took an interest in Legal Procedure, he felt great satisfaction at having heard the statement of the right hon. Gentleman the Home Secretary, that the re-organization of the Circuits, for the despatch of the criminal business of the country, was under the serious consideration of the Government. He was sure that that statement would be received with no less satisfaction outside the House. He (Sir Eardley Wilmot) had last Session brought forward the subject of the inadequacy of existing arrangements for the despatch of civil business in the Provincial districts, especially at Manchester and Liverpool, at both of which places he knew that much dissatisfaction was felt. He hoped, therefore, that while providing greater facilities for the trial of prisoners throughout the country, Her Majesty's Government would also see the necessity of improving the administration of civil business, and meeting the obvious requirements of the public in that respect. He had submitted to the House, on the occasion to which he had alluded, a Memorial from the inhabitants of Manchester, by which it appeared that, in consequence of the limited number of days allotted to the trial of causes at Manchester, and owing to the Commission day at Liverpool coming immediately after that of that town, the civil business at Manchester was frequently hurried over, and important actions either withdrawn or referred at the last moment, to the great detriment and expense of the suitors, who complained that their matters were very imperfectly transacted. Whether the remedy for this should be more time given to the Assizes, or more Judicial strength, it was not for him to say. He had not had the good fortune to hear the able and eloquent speech of the hon. and learned Attorney General on a former evening, when introducing his measure for the amendment of the Criminal Law; but, from the report he had read in the papers, he was sure that the Bill about to be introduced by the Government would give general satisfaction, and he could not help saying that no more important measure had been proposed during the present Session. His right hon. Friend the Home Secretary could not do better than accompany the Bill establishing a Criminal Code by an improvement and re-construction of the existing very imperfect arrangements for the trial of causes, both criminal and civil.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

Class II.—Salaries and Expenses of Public Departments.

(1.) Question [May 13] again proposed,

"That a sum, not exceeding £376,545, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for Stationery, Printing, Binding, and Printed Books for the several Departments of Government in England, Scotland, and Ireland, and some Dependencies, and for Stationery, Binding, and Printing Paper for the two Houses of Parliament, including the Salaries and Expenses of the Stationery Office."

Mr. O'DONNELL said, he objected, in this Vote, to the sum of £289 for stationery for the purposes of the Queen's Colleges in Ireland.

The CHAIRMAN said, he must point out to the hon. Member that there was no item of £289 for the Queen's Colleges in Ireland.

Mr. O'DONNELL said, they had been informed by the Government that a portion of this Vote was intended for the purposes of the Queen's University in Ireland, and they calculated that the amount that would be so applied would be about £289. In order to justify themselves in making that calculation, they quoted the figure given in the Estimates of a year or two ago, and it was for that reason he should move the reduction of the Vote by the sum of £289, unless the Government would give them an assurance that, under no circumstances, would any portion of the Vote be spent in the present year for the support of the Queen's University in Ireland. He maintained that this Institution did not deserve to receive any grant of public money. Of course, neither he nor any Irish Member would rise in his place on the present occasion to oppose a Vote of this kind without having good reasons for so doing. If the money which they were asked to vote for the service of the Queen's University were really intended to be devoted to promoting the usefulness of that Institution, they would not think of persevering in their opposition. But if they could show that such would not be the effect of the application of this money, he thought they had a right to ask the Committee to diminish the Vote by that amount.

The CHAIRMAN said, he must point out to the hon. Member that, while he would be in Order in objecting to the money being applied to a purpose which he deprecated, he would not be in Order in entering into any discussion of the merits of the Queen's University on this Vote.

Mr. O'DONNELL was afraid he had misunderstood the ruling, because he failed to perceive how he could ask the Committee on his *ipse dixit* to reject the Vote. He apprehended that it was not sufficient for a Member of the Committee to say that he objected to this or that Vote, without stating the grounds of his objection. If he objected to public money being voted for the use of the Queen's University, he did so for a certain reason; but he could not presume to ask hon. Members to follow him blindly into the Lobby, without giving any reasons for the request he made to them.

The CHAIRMAN said, the hon. Member seemed not to have observed that the proper time would come when that question would be discussed on a Vote for the purpose of the Queen's University; but the present Vote was one for the Stationery Office, and upon that it was desirable to keep the arguments addressed to the Committee within the scope of the matters relating to the Stationery Office.

Mr. PARNELL remarked, that if the present Vote should receive the sanction of the Committee, a certain sum of money, amounting to £451,745, would be provided for the purposes of the Stationery Office. In looking at the purposes to which it was proposed to apply this money, he observed that a sum of £289 was to be applied to purposes—["No, no!"]—he observed that stationery to the amount of £289 was to be issued—["No, no!"]

Sir H. DRUMMOND WOLFF: I beg to rise to Order.

Mr. PARNELL: I am speaking to a point of Order.

The CHAIRMAN ruled that the hon. Member for Meath was in possession.

Mr. PARNELL said, he observed that it was intimated to them that £289 was applied for the purposes of stationery and printing in the Queen's University in Ireland during the years 1876 and 1877. From that he inferred that, out of the sum which they were now asked to vote, a somewhat similar sum would be applied during the coming or present financial year for the same purposes—that was, for the purposes of the Queen's Colleges and University in Ireland. He objected to the Department applying any money for stationery or printing for the purposes of these Institutions; and he desired to have the opportunity of stating to the Committee the reasons why he thought that the application of that portion of this large sum which they were now asked to vote would be a waste of public money. Therefore, he wished to reduce the Vote by the sum of £289, which the Government had informed them they applied in 1876 and 1877 for the purpose of stationery and printing in the Queen's University in Ireland. The Chairman had said, just now, that they could discuss that question when they came to the main Vote. But there was no portion of the main Vote set aside for the purpose of stationery and printing for the Queen's Colleges; and if they discussed that question on the main Vote, they would do so without having any opportunity of fixing upon a particular item in the Vote. The item in reference to this point was now before them; or, if it was not, the Government had at least intimated very plainly to them that they would apply a certain portion of this Vote for these purposes to the Queen's Colleges and University in Ireland. Therefore, he submitted, with great deference, that he should be in Order in stating the reasons why he objected to having any portion of this money devoted to that purpose, and also in moving to reduce the amount of the Vote by the sum of £289 or £300, which the Government had intimated to them would be so applied.

THE CHAIRMAN said, the hon. Member would be in Order in moving to reduce the Vote before the Committee by the sum of £300 or £289, or whatever other sum he thought proper; and he might also justify that Motion by stating that he believed that some such sum was likely to be applied to purposes which he deprecated; but there was no item in the present Vote which raised the question of the Queen's Colleges or University; and therefore, in the event of the hon. Member inducing the Committee to adopt his view, it would not have the effect of depriving these Institutions of any portion of the money that might be required for them. It would, therefore, be plain to the Committee—and, he trusted, it might be clear to the hon. Member—that any discussion of the constitution or merits of the Queen's University would be wholly beside the question now before the Committee.

MAJOR NOLAN wished to refer to what took place the other night. The hon. Gentleman the Member for Londonderry (Mr. Charles Lewis) then assured the Committee that, from his point of view, the proposed reduction of this Vote would be most disastrous to his Party in Ireland. He (Major Nolan) would not say it would be disastrous; but if they were to believe what the hon. Member for the City of Londonderry had said, the effect would be, at any rate, of very great importance. Consequently, he did not think it could be a waste of time on their part to discuss this Vote; and he thought his hon. Friends around him would be quite right in adhering to their intention to reduce it by £289, because that was the only sum in the Vote which was connected with anything that was objectionable from their point of view. They found the connection between the sum of £289 and the Queen's University established, because the Government had declared that in a past year that sum had been expended on that Institution. Now, the proposition which he made the other night he would venture to repeat to the Committee, and it was, that the sum of £289 should be omitted from the Vote, the Government taking that money later on, when the Committee were asked to pass the Vote for the Queen's University. It was, after all, a mere question of detail, whether they should vote the money for stationery for each Department separately, or lump the various sums together under the one head of Stationery Office. He did not say that it might not be better, and more convenient, under ordinary circumstances, to adopt the latter course; but he thought that it would be far better, in regard to a disputed item, that it should be taken in connection with the main sum of money voted for an Institution to which objection was taken. It might be thought that voting stationery and paper for the

Queen's University was a small question; and although that might be so considered in one aspect of the case, yet it had really become a very large question for the Irish Members to consider whether they should pass any Vote connected with this particular Institution. If they had the great moral advantage of having the great majority of the Irish Representatives on their side, he thought it was obviously their policy on every occasion to oppose the voting of any money for the Queen's Colleges. It was only by taking that course that they would show the Irish people that their Representatives continued to do their duty, but that a majority of English and Scotch Members had determined to overrule them on this question. He would not enter into the great question of education, as another opportunity would be afforded for discussing that subject. But they had been taunted with coming there and begging for money from the Imperial Exchequer. Well, the Irish Members were willing now to show that they did not want public money. If the Chancellor of the Exchequer would adopt the suggestion that he had made, it would afford an easy means of cutting the Gordian Knot on the present occasion; but, otherwise, he hoped that the omission of the £289 would be pressed to a division, in order to show that the majority of Irish Members were anxious, on every occasion, to prevent money, or anything else, being given to the Queen's Colleges, until all denominations in Ireland had equally advantageous educational establishments.

THE CHANCELLOR OF THE EXCHEQUER said, he understood that at the present moment the Committee were rather engaged upon a question of Order, raised by the hon. Member for Meath (Mr. Parnell) and others, and that the point of Order was this—The Vote about to be taken was for a gross sum to be expended through the Stationery Office on all the Public Services in which stationery was required. Hon. Members found that a certain portion of that sum would, in accordance with the usual practice, be expended upon the Queen's Colleges. They desired to challenge the application of any public money to the Queen's Colleges, and they, therefore, proposed to omit a certain sum from the Vote, being about the sum which they presumed might fairly be taken as representing what would be spent upon stationery for the Queen's Colleges. Then they said that, in order to justify themselves in making that proposal, it was necessary that they should show why with them these Colleges were an objectionable Institution, and why no public money should be given to them. Well, it might seem to them that it was unreasonable that they should propose to strike out that portion of the Vote unless they showed that, and they might say that they could not show it unless they were allowed to go into the whole subject of the Queen's Colleges. But, on the other hand, he apprehended there could be no doubt that the Rule which the Chairman had laid down was the one which must guide the Committee. It was that, in the discussion of this Vote, it was impossible for any Member, in a regular and orderly way, to go into the whole question of the merits of the Queen's Colleges; and the inference which he thought they must draw from that ruling was, that the present was not the proper occasion for the raising of that discussion. The hon. and gallant Gentleman the Member for Galway (Major Nolan) had said that the Government might alter the form of the Vote so as to get the Committee out of the difficulty which it was in by withdrawing the small sum that was proposed to be applied to the Queen's Colleges, and voting it hereafter when they came to the Vote for these Institutions. That would be an inconvenient way of proceeding, and really it would make no difference, because the withdrawal of £300 or £3,000 from the Vote would not in any way impede the expenditure of so much of the money as was voted for the Stationery Office being applied to the Queen's Colleges so long as they were, and continued to be, recognized as an Institution which was entitled to Government support. But what he would undertake on behalf of the Government—he believed that it had already been promised—was this—If when they came to the Vote for the Queen's Colleges that Vote should be negatived, he would undertake that no portion whatever of the sum voted for the Stationery Office should be applied to them. That would obviate the difficulty which had been suggested by the hon. Member for Meath (Mr. Parnell), who had said that they might, perhaps, negative the Vote for the Queen's Colleges, but that as they had granted the stationery it would still be supplied to them. He really hoped that they would not be called upon to discuss any further the point of Order; but that hon. Gentlemen, if they thought it desirable to try the question, and put in what was in the nature of a protest on their part on the present occasion, would move a reduction of the Vote and go to a division, remembering that the question of the Queen's Colleges themselves would be a matter for subsequent discussion. As he had already said, more than once, the Government would take care that ample opportunity was given for the discussion of that important subject on its merits.

Mr. BIGGAR said, he had never before heard a statement made by the Government to the effect that it made no difference whether a sum of money were struck out from the Votes or not, for that stationery would be supplied all the same to the Queen's University. He thought that was a most immoral doctrine, and one which struck at the root of the system of voting public money. He also thought that it was thoroughly unreasonable to ask Parliament to vote first, and then to hear arguments on the policy of the Vote. In his opinion, the only sensible plan was to allow the discussion to go on then.

Mr. PARNELL wished to make a suggestion to the hon. Member for Dungarvan (Mr. O'Donnell), in consequence of the allegation of the Government that the reduction of the Vote by £289 would not affect the supply of stationery to the Queen's University. He should suggest, if that were so, that the hon. Member for Dungarvan should withdraw his Amendment, and should move to strike out the entire Vote. He was very serious in his opposition to the Queen's University in Ireland; and he could not but think that the power that the Government assumed of applying money, voted for this purpose to any Department, was a very faulty way of applying the Estimates. It was very strange that sums of money should be accounted for in the Public Services by items, when they were not intended to be applied to the Services for which they were voted. It placed the opponents of any particular Service in a dilemma; and the only way in which they could protest against any sum of money being spent on the Queen's Colleges would be by objecting to the whole Vote. For that reason, he should advise the hon. Member for Dungarvan to object to the whole Vote; and, in the meantime, the Committee would have an opportunity of discussing the other items included in the Vote. He was determined not to vote any sum of money to the Queen's Colleges without entering his protest against it; and if they could not object to the particular application of any sum of money by the Government, they must divide against the whole Vote. The fault lay with the Government in framing the Estimate in this manner. In future, he should consider that it would be desirable for the Government to arrange these matters in a different way, so that hon. Members who objected to any particular sum would be able to do so, without being under the necessity of opposing the whole Vote.

Mr. CHARLES LEWIS observed, that it seemed to him that the Committee, to a certain extent, had suffered, in point of time and convenience, from the fairness and ingenuousness of the Government in dealing with this particular Vote. Had the Government moved, without specific details, for a supply for stationery for the Public Service, no one could have objected to the Estimate; but just because the Government had been fair and explicit in giving a larger amount of information as to the portions in which the stationery and printing was supplied to the different Departments, the Committee had been wearied by the various discussions on the matter. The objections raised, it was said, were conscientious ones; but when anybody said proudly that he did anything for conscience sake, he could not but suspect. He liked to hear a business argument and business reasons given when a Vote in Supply was opposed; but when he heard an item of £289 was objected to from conscientious motives, he could not but wonder that this should prove a dead fly in the ointment. This little matter it was which disturbed the digestion of hon. Members opposite, and which incited them to discuss, over and over again, the merits of the Vote for the Stationery Department. The hon. Member for Meath, who had last spoken, had recommended that the Committee be divided against the whole Vote. Why did not hon. Gentlemen opposite at once challenge the whole Vote of £480,000, because £289 in stationery was supplied last year on account of the Queen's Colleges, if they really meant to take that course? Whenever they threw out a challenge to go to a division, it was accepted on that side of the House; but when it was thrown to them, they always delayed from it.

THE CHAIRMAN said, that the Question before the Committee was the Vote for the Stationery Office, and upon that the hon. Member for Dungarvan had intimated his intention to move an Amendment that it be reduced by the sum of £289. He had pointed out to him that it was quite competent for him to bring on that Amendment; but, at the same time, he thought it his duty to state that the Amendment was not yet before the Committee. He must, therefore, ask the hon. Member for Dungarvan, whether he intended to move that Amendment?

MR. O'DONNELL expressed his willingness to withdraw his Amendment, and to raise his objection to the supply of stationery to the Queen's University by challenging the entire Vote. He agreed with the hon. Member for Meath, that the Government provoked that course by the way in which they had framed the Estimates. He therefore moved the reduction of the whole Vote.

MR. MITCHELL HENRY would like to know whether the Vote of £450,000 was not to be applied for stationery in the different Departments? If that were so, he would wish to be informed in what way this sum of £289 was to be expended? No doubt it was to be applied, amongst other things, in providing three or four Institutions in Ireland with a certain amount of stationery; but he did not think that they were likely to get rapidly through the Estimates, when such arguments were addressed to the Committee as that they had just heard from the hon. Member for Londonderry (Mr. Charles Lewis). He had told them that when the Government applied to Parliament for a Vote of £450,000, the House ought to thank the Government for giving it any information as to the manner in which that large sum was to be expended. They did not, however, thank the Government for giving them information, for it was the duty of the Government to furnish it, and it was the duty of the Committee to see that it was given. For his own part, he deprecated the enunciation of such a doctrine. Another point he wished to raise was this—It might be that when Parliament struck out a sum of £289 from the Estimates, as not applicable to a particular purpose, it would be within the power of the Government to take other means to perform the service which the House of Commons had said should not be performed. To that he entirely demurred, and he thought the Committee was interested in knowing whether or not it was correct; for, if so, Parliament had no control over the Estimates?

SIR HENRY SELWIN-IBBETSON observed, that he would first reply on the question of the information given with regard to the particular distribution of the Vote of £450,000, now asked for on behalf of the Stationery Office. What was done in the composing of the Estimates of the year was for the sums to be inserted on account of the stationery which each Department had demanded from the Stationery Office in the preceding year. At the end of the year, when the proper accounts were made up, the whole was put together, and it became possible then to draw up such a table as appeared in the Estimates, showing how the sum of money granted to the Stationery Office had been distributed. In that way a table, 1876-7, showed how the money granted at the beginning of that year was distributed. On the Estimates so prepared the Government asked the House of Commons to grant £450,000 for the Stationery Office. Supposing that the House subsequently agreed to the Vote for the Queen's Colleges, the sum allowed to the Stationery Office, even if minus the £289, would enable it to supply the demands of the Queen's Colleges. On the other hand, if Parliament refused to make the grant to the Queen's University, the Stationery Office, although they might possibly have been prepared to meet the demands of the Queen's Colleges, would not be justified in supplying them, and would pay the money back through the Exchequer. If this particular sum of £289 were now struck out, and the House subsequently agreed that the Queen's Colleges should be continued, the Stationery Office would have no money to pay for the printing required by the Queen's University and sanctioned by the House. That would necessitate a Supplementary Estimate. A similar table to that in the present Estimates would be given for 1879-80 in a future year, showing how this sum of £450,000 had been used; and if the Queen's Colleges were left out of the Vote by the House, no sum would then appear in the next table to the credit of the Queen's Colleges.

Sir ANDREW LUSK said, that the explanation given of this £289 was to the effect that the sum would probably be required for the purpose of supplying the Queen's University with stationery. It was said that the stationery might not be required, and that, if not required, the money would be returned to the Treasury. He would like the Chancellor of the Exchequer to look at the matter in this way—Here was a large Vote of £450,000, and a little matter of £289 was sticking in the throats of his hon. Friends. Was it worth while to fight about so small a matter? Would it not be better to withdraw the sum of £289 from the present Vote, and add it to the Vote for the Queen's Colleges? The sum should be withdrawn from the present Estimate, on the distinct understanding that it would be brought on when the whole of the question of the Queen's Colleges was discussed.

Mr. O'SHAUGHNESSY could not understand the attempt to diminish the value of the control of that House over the public expenditure. This money was to be spent in the year on particular things. Suppose, for one moment, that the items given were omitted, did anyone think that the large sum in the Estimates would be voted by the Committee without previous inquiry as to the objects for which it would be applied? And that consideration showed the necessity for the enumeration of the items in the Estimates, and that in placing them there the Government had performed no perfunctory duty. He could not, therefore, follow the hon. Member for Londonderry (Mr. Charles Lewis) in what he had stated with regard to the ingenuousness of the Government in giving correct details of the different items. He understood that it had been suggested by the hon. Member for Meath (Mr. Parnell) that the question of the Queen's Colleges was to be shelved until somebody moved to reduce the entire amount of the Vote. He wished to call attention to another "fly in the ointment." He used the expression of the hon. Member for Londonderry, and he hoped it would not interfere with his digestion; although it was very remarkable that the hon. Member should use so contradictory a simile—as if anyone ever took ointment internally.

Mr. CHARLES LEWIS observed, that he had never made the statement in the connection imputed to him.

Mr. O'SHAUGHNESSY said, that it was unimportant, and he would not pursue the subject. What he wished to mention was, that under the head of Stationery a certain amount was included for the supply of the Education Department. The Education Department in Ireland spent on stationery and printing, during the last year, £2,174. In Ireland they had a different system of National Education to that which existed in Scotland. In the latter country, the sum expended in the same year by the Education Department for stationery was only £124. He wanted to call the attention of the Committee to the extraordinarily large amount spent by the Irish Education Department for printing and stationery, and to suggest that this very large amount could be cut down. He thought he was in Order in mentioning this matter. The Education Department in Ireland arrogated to itself the right of printing, publishing, and supplying copybooks to the schools. It also supplied the schools under its control with all the literature they required, to the exclusion of all other publications, publishers, and printers. One result of that system he should not discuss, because it would be without the ruling of the Chair to go into the subject of the disadvantage under which Irish publishers laboured, in not being permitted to supply the schools. But there was another objection to the system by which the schools in Ireland were allowed none but books published by the Stationery Department; for, were the market open, it was probable a very different class of books would be introduced, and a much larger number of people would patronize the schools. Apart from the injury inflicted on the trade, the result of this monopoly was very detrimental in other ways; because, if the contracts were open to public competition, it would, undoubtedly, be found that private enterprise could supply these books at a much lower rate than was now charged by the Printing and Publishing Department. Without pressing for a vote, he would recommend the subject to the notice of the Educational Department. It was not alone in this branch that the Government confined to itself the monopoly of printing and publishing. His attention had been directed to other Departments; and he found there was scarcely any work of a similar description to be executed in Ireland that was not kept out of the hands of the trades, and under complete Government control, to the great loss of the public, and in a manner perfectly unknown in this country or in Scotland.

MR. MITCHELL HENRY said, he would move, as an Amendment, that no part of this Vote be applied to the providing of stationery for the Queen's Colleges or University in Ireland.

THE CHAIRMAN: I must point out to the hon. Member that such a Motion is out of Order, and that he can only move a reduction of the Vote.

MR. MITCHELL HENRY said, he did not propose to question the ruling of the Chairman, but would call his attention to the fact that some years ago, when the Dover Mail Contract, concluded with Mr. Churchward, was under discussion, a similar Motion was made and agreed to. The course he now proposed to pursue was, therefore, in strict accordance with Parliamentary precedent.

THE CHAIRMAN: I must remind the hon. Member that in the case to which he refers the Proviso was moved by the Government, who were responsible for the Vote.

MR. MITCHELL HENRY asked, whether the Government had any privileges in connection with the Estimates which were not shared by the Representatives of the people?

THE CHAIRMAN: The Government necessarily bring forward the Estimates on their own responsibility and discretion, and place them before the House in the form and manner most convenient for discussion. It is the function of the Committee to criticize, reduce, or reject the Votes; but the responsibility of framing them rests with the Government.

MR. MITCHELL HENRY replied, that it appeared by the Estimates that a sum of money was required for certain purposes. His proposition was, that the money be so granted to the Government, but with a Proviso that no portion of the Vote should be applied to a particular purpose. He failed to see what were the functions of hon. Members, if it was not competent to them to object in this manner. He asked, whether he was precluded from moving the Amendment?

THE CHAIRMAN: The hon. Member will understand that he cannot proceed with the Motion indicated.

MR. PARNELL said, the Government had framed this Vote in such a way as to render impossible the rejection of any particular item, and he was, therefore, unable to move the reduction of the Vote by any specific amount. There were, however, several items in the Estimates by the reduction of which it would be ensured that no money would go this year to the Queen's Colleges and University in Ireland for the purposes of stationery and printing. The Vote was divided into items, none of which referred explicitly to the printing and stationery for the Queen's Colleges and University. Hon. Members were told by the Government that the sum of £289 was applied to that purpose in 1876-7; and he inferred that the Government, in framing the Estimates, had allowed for a similar amount in the present Vote. He wished to point out to the hon. Member for Galway (Mr. Mitchell Henry) that there were four other items, by moving the omission of which he would attain his object. Under the sub-headings E, F, G, H, there was the sum of £271,000 for printing, paper, parchment, and vellum. He thought that, as any expenditure for stationery and printing for the Queen's Colleges and University in Ireland would come from this amount, in the event of the Committee being induced to omit the items under these sub-headings, it would result that no money for these purposes would go to the Colleges this year.

MR. MITCHELL HENRY remarked, that in the case of the Dover Contract with Mr. Churchward, the Government retained the item in the Estimates for a period of two years. The Government then accepted a Motion precisely analogous to that which he now made, and which he held it was competent to them to entertain.

Mr. PARNELL said, he must direct the attention of the Secretary to the Treasury to a matter that was attracting considerable notice in Dublin. He saw, under the sub-head A, that the Examiner received a salary of £138 a-year. He did not know whether that gentleman was responsible for the matter he was about to complain of; but, if so, he would move the reduction of the total amount under this sub-head by the amount of his salary. His complaint was, that in consequence of a Memorial presented by the printers in Dublin to the employers in the trade, seeking for an increase of wages to the extent of 2*s.* weekly for time-work, and of from 6 to 7½ per cent for piece-work, the head of the Department and a considerable number of the employers having met to consider this very moderate proposal, it resulted that a fortnight's notice was given to every member of the Typographical Society in Dublin, including those printers who were employed for the Government Offices. During the interval, many of the employers and some newspaper proprietors, among whom he would mention *The Freeman's Journal*, agreed to the advance of wages, and continued to employ the men. A few employers, however, had not followed this very proper example. The Queen's Printing Office, where from 60 to 70 hands were previously engaged, was now closed—Mr. Thom, the manager of the office, having failed to get workmen from England to supply the places of those who were on strike. Some English printers did go to Dublin, and went to work in the Queen's Printing Office; but after finding out the position of things, and how very unfairly the manager of the office had acted towards his old hands, they refused to work any longer in the establishment, and returned to England. Ten weeks had elapsed since this rupture took place, and during that time Mr. Thom and his agents had searched all the large centres of industry and large Provincial towns in the United Kingdom for men; but, up to the present, their efforts had not been successful, as although in numerous instances workmen were engaged, when they found out the actual state of affairs they returned to the localities whence they came. But Mr. Thom, having discovered that it was impossible for him to get enough men from England to fill the places of the printers who were dismissed, had sent all the Irish printing to be done in England; and, consequently, the journeymen, who asked for an advance of 2*s.* a-week, had been thrown out of employment permanently; and there was really no hope of their getting work again in Dublin, unless the hon. Baronet who had charge of the Estimates told the Committee that he thought the Irish printing ought to be done in Ireland. Very few of the large Dublin employers had refused to grant these reasonable demands of the men, and the course which Mr. Thom had taken appeared to him (Mr. Parnell) to be altogether unjustifiable. That being so, he should be glad to hear from the hon. Baronet where Mr. Thom's salary appeared in the Vote, and whether he was the gentleman described as the "Assistant Examiner of Printing and Binding" in Dublin?

The CHAIRMAN: Does the hon. Member move to reduce the Vote?

Mr. PARNELL said, he had not moved the reduction of the Vote. He had only asked for information.

Sir HENRY SELWIN-IBBETSON said, Mr. Thom's salary was paid him for taking charge of *The Dublin Gazette*, and the Assistant Examiner of Printing and Binding was a kind of foreman in the office, who had to see certain work carried out. As to the rupture between Mr. Thom and his men, he knew nothing of it. Mr. Thom was bound to perform certain work; and, therefore, he was justified in seeking for labour during the time of the differences between him and his men.

Mr. PARNELL asked the Secretary to the Treasury, which was the item in the Vote providing for Mr. Thom's salary? Unless he had that information, he should be obliged to move the reduction of the Vote by the amount paid to the Controller of the Department. He desired to reduce the Vote; but he did not know what item he could select in order to deal with Mr. Thom's stipend. The Vote was framed in such an extraordinary manner, and so few details were given, that it was utterly impossible for a private Member to find out what he wanted to know.

Mr. O'DONNELL said, the complaint in this matter was, that a Government Department in Dublin, in order to defeat Dublin workmen, first tried to import labour from England and Scotland, and, failing that, had exported the Dublin work of the Government to England and Scotland. The Dublin printing of the Government was now being done in Edinburgh, and that course had been adopted for the purpose of saving the Dublin Department the necessity of yielding to the just demands of the printers. Of course, to a certain extent, it was quite right that an employer should go to a far distance for labour in order to counteract what he considered to be an unfair combination; but in this case the question arose as to what was, and what was not, an unfair combination? The charge against the Government Printing Office in Dublin was this—that whereas the printers, who had only asked for an advance of wages once before in the course of half-a-century, and who, upon this occasion, had only asked for an increase of 2*s*. a-week on the establishment wages and 6 or 7 per cent upon piece-work, the Government Department, backed by the influence of the Stationery Office, first tried to defeat that very moderate demand by the importation of workmen, and, failing that, they had the work "jobbed out" at Edinburgh. He was informed that one of the reasons why the work could be done cheaply at Edinburgh, and thus the opposition of the Dublin printers easily defied, was that in Edinburgh the duty was being performed by females. Female printers were doing this work at a cheap rate, and the regular printers of Dublin were thrust out of employment in this unfair manner. Undoubtedly, labour had its duties, but so, also, had capital; and there ought to be some strong reasons shown before the Irish Government printing was taken out of the hands of the Irish workmen, and handed over to females in England and Scotland. He thought this a very serious question, and he was sorry to see the Government did not appear to be previously aware of what had been taking place.

Mr. MITCHELL HENRY said, Mr. Thom had a very lucrative contract for the publication of Government papers in Ireland, and he must say he did his work admirably. There was recently a strike in Dublin, on the refusal of an application for an advance of wages to the printers. There were other printing offices besides that of the Government in the city, and he believed the proprietors of most of these—and especially the newspaper proprietors—conceded the demands of their men; and it was only right to say that even now, with this increase, the wages of printers in Dublin were less than those given to similar workmen in England and Scotland. The point before the Committee was this—Mr. Thom had a monopoly given him by the Government of this extensive printing; and while he ought to be protected against unfair competition, on the other hand the Secretary to the Treasury ought to take care that the monopoly which was given to that gentleman was not used to oppress the people whom he employed. If the Secretary to the Treasury would say he would look into the matter and take it up in a right spirit—which he (Mr. Mitchell Henry) was sure he would do if he took it up at all—something might be done. It certainly was not right that printing, which the Government contracted to have done in Dublin, should be taken by the contractor to be executed in Edinburgh, unless there be some very strong reason for such a course being pursued. It was clear that the attention of the Government had not yet been called to the matter, and he hoped they would now look into it. Mr. Thom's labours in the cause of everything that was good in Ireland were so great, and the extraordinary volumes of statistics which he produced entirely by his own exertions were so valuable, that he (Mr. Mitchell Henry) was most unwilling to say anything, or to take any course, which should injure him. But, at the same time, he thought the Secretary to the Treasury ought to look into the matter, and see that the printing should really be done in Dublin, when it could be executed there on fair terms. He would not say a word against Mr. Thom, who richly deserved the support of that House for all he had done in the way of facilitating legislation by the admirable statistics he had compiled; but, at the same time, he must not be allowed to over-ride poor people by the great weight given him in consequence of his having this monopoly from the Government.

Sir HENRY SELWIN-IBBETSON said, he agreed with the hon. Gentleman who had last spoken as to the admirable work which Mr. Thom performed. As to the direct salary which he received, it appeared in the Estimates—namely, £100—and that was paid for the assistance he rendered in editing *The Dublin Gazette.* That sum, he believed, represented the whole of the Government salary which was paid to Mr. Thom; and, considering his services, he did not regard that as an extravagant sum. With reference to the question of printing, it was not his wish in any way to injure the trade; but the Government required certain work to be speedily done, and, owing to the strike, Mr. Thom seemed to consider the best plan to adopt was to have it executed in other places. However, at the request of one or two hon. Gentlemen, he would consent to look into the matter.

Mr. PARNELL said, the Secretary to the Treasury was mistaken if he supposed his attention had not been directed to this subject before, because his hon. Friend the Member for Mayo (Mr. O'Connor Power) alluded to it on Monday night. True, he did not do so at any length, and probably he did not make any impression upon the hon. Baronet; but as the hon. Baronet had been kind enough to say that he would look into the question, he (Mr. Parnell) would not persevere in his opposition to the Vote on that ground. With regard to the question itself, it was quite competent for the Committee to say, if contracts for printing to be performed in Dublin were entered into, that the work should not be sent by the contractor to be executed in Edinburgh or Glasgow, or elsewhere, and especially on so small a reason that the men had asked for an advance to the extent of 4*s.* a-week. There was no such emergency in getting out the work as the hon. Baronet seemed to think. The printing had only been put out because Mr. Thom said—"I will put down this strike; I will use the power and authority which the very lucrative Government contract I hold will enable me to use; I will enter upon this contest, and I will put down this demand from the men." He (Mr. Parnell) hoped the hon. Baronet would carefully look into the whole question.

Mr. T. CAVE said, he must protest against the new doctrine sought to be laid down by the hon. Member for Meath. If a contractor obtained a contract from that House to execute printing at a price, he was entitled—always supposing he was fair and reasonable—to get his work done as cheaply and as well as he could. He was sorry that the printers of Dublin had quarrelled with their master; but, at the same time, that was no reason in the world for laying down the doctrine—which would work most mischievously—that a contractor in that country or this had not a perfect right to get his work done as cheaply as he could.

Mr. PARNELL said, the House had laid down an entirely different principle. The House had decided that the printing referring to Scotland should be done in Edinburgh; that that referring to Ireland should be done in Dublin; and that that referring to England should be done in London. He boldly asserted that, because he saw in the Vote separate and distinct items for printing in Ireland, Scotland, and England. If he had not recognized that principle, he should not have adopted the course he had; or, inasmuch as if they went upon the general principle of getting work done in the cheapest way, they would put all the printing together and have a contract for the lot. Then they would have the work executed in the cheapest place they could. If a Glasgow printer could do the printing cheaper than anyone else, by all means let the House of Commons, if it desired, give him the work. But, in this instance, the House of Commons had not chosen to do that, the Vote being presented in an entirely different way; and as long as they appeared in that shape, and a Dublin contractor sent his work to Scotland, he (Mr. Parnell) would protest against it.

Mr. SULLIVAN said, both the hon. Gentlemen who had last spoken were in the wrong. There was no contract, in the ordinary sense of the word, in this case, and that was precisely the error into which the two last speakers had fallen. While being called a contractor, Mr. Thom was not put into competition with anyone. The facts of the matter before the Committee were these:—The Dublin printers thought fit to require the masters in that City to raise their wages. Of course, they had a perfect right so to act; and he must remind the Committee that while some did not submit to this compulsion others did. Mr. Thom who, on a previous occasion, had thoroughly kept himself clear from all connection with the Printers' Association, and who opposed that Society successfully, would not agree to the terms of the men as to an increase of wages. That being so, he (Mr. Sullivan) regretted that the matter had been brought before the Committee that night. He considered it would be a deadly blow given to the printers of Ireland if hon. Members propounded on the floor of that House that the work could be done in Edinburgh cheaper than in Dublin; because it would put the printers of Dublin in the odious position of having driven the trade from the City. That was why he deplored such a discussion being raised. He hoped the present difficulty would be adjusted, and he believed it might be by the display of a little kindliness on each side.

MR. MITCHELL HENRY said, it was a fact within his own knowledge that there had been very great delay in printing documents which ought to be produced in Dublin in consequence of the copy having to be sent to Scotland. One reason why the Government had printers in London, Dublin, and Edinburgh, was that there were documents peculiar to each country which required to be got on with at short notice. The Government printing in Ireland was done in Dublin for that reason; and if the Government printer for Ireland, as a rule, had his work done out of the Irish capital, of course there would be great inconvenience and delay. For his part, he was quite content with the answer of the Secretary to the Treasury—that he would inquire into the matter. At present, it was provided that the Irish printing should be done in Dublin, for the sake of convenience and expedition; and unless it was done in that city, Parliament must alter the system under which the work was given to the contractor. He (Mr. Mitchell Henry) made every allowance for Mr. Thom; and he regretted the delay occasioned in the execution of work in consequence of his not seeing his way to do what the other masters had done.

MR. O'DONNELL, in answer to the hon. and learned Member for Louth (Mr. Sullivan), who objected to the fact of the Dublin work being sent to Scotland being stated on the floor of that House, said the matter had been fully ventilated before it was mentioned in debate. The Dublin printers had clearly stated the facts in a Memorial they had sent round to Members of Parliament, and in their trade organ, *The Irish Artizan.* They themselves said that work was being done in Edinburgh which ought to be done in Dublin; and, consequently, there was not the slightest ground for saying that harm had been done, or was likely to be done, to the interests of the Irish printers, by referring to the matter in that House. The statement of the hon. and learned Member for Louth, as to the previous collision between Mr. Thom and his men, had far from weakened the cause of the men. Mr. Thom had first come in contact with the men by refusing to have any belonging to a society in his office; and now, when they asked for a slight increase of wages, he made use of his immense resources, and "jobbed" the work out at Edinburgh.

MR. BIGGAR said, it was quite clear that Mr. Thom, rather than submit to an advance of wages, as other masters had, would rather "job" his work out at Edinburgh. He—Mr. Thom—could afford to submit to a temporary loss, in order to force his *employés* to come to his terms. The argument of the hon. Member for Barnstaple (Mr. T. Cave), that the House should allow the work to be done in any place the parties chose, would, of course, be good if the work were open to competition, and if the papers ordered to be printed in Ireland were such as did not require to be produced in a certain time. In this case, Mr. Thom was not a contractor. He obtained whatever he charged on the understanding that the printing should be supplied and be in Members' hands in a definite time. He thought it only reasonable that Mr. Thom should be asked to give the same rate of wages as his neighbours, and nothing more was asked.

MR. MACDONALD observed, that the salary of the editor of *The London Gazette* began with £600 a-year, with a maximum of £800; that the first-class clerks began on £300, and rose to £400 a-year; that the second-class clerks began with £200, and rose to £300 a-year; and that third-class clerks began with £100 a-year, and rose to £200. Then there were warehousemen in the same office who began at £120, and rose to £130 a-year. He desired to know whether this rule of raising salaries applied to the printers as well as the others engaged in preparing *The Gazette;* or whether it might be the salaries of the printers lessened as those of the other *employés* in the office increased? For his part, he saw no reason why those that really did little work should have ever-increasing salaries, while the men who did the work got less. This was not paying according to work done at all.

Sir HENRY SELWIN-IBBETSON said, the hon. Member fell into a mistake in imagining that the clerks to whom he referred were of the same grade as the men employed in the printing office of *The Gazette.* Those clerks were civil servants, having increases to their salary in the same way as those employed in the Foreign or Home Offices, or other Departments. Their salaries rose by given increments each year, until the maximum was reached.

Mr. MELLOR asked, if that increment occurred in all those Departments without reference to the qualifications of the official servant? because, if so, he considered such a principle one of the worst ever introduced.

Sir HENRY SELWIN-IBBETSON said, the increment was supposed to represent the knowledge a clerk obtained in the time he had served. He came in as a probationery clerk at £90 a-year, after having passed the Civil Service examination, and he had increases of £10, or £15, or £20 a-year as time went on, and these advances represented the knowledge he was supposed to have acquired during the time he had been in the service.

Mr. PARNELL said, he wished to make a suggestion to the hon. Baronet the Secretary to the Treasury with reference to the £3,000 to be voted for *Hansard's Debates,* as he was unable to do so on Monday night when the subject was under discussion. At present, Mr. Hansard sent round proofs to Members of the House, and they were entitled to make any corrections they pleased. They were entitled to disregard the proofs entirely, and give their own version of the speeches which they had made. This really meant that a Member could supply a brand new speech. ["No, no!" "Hear, hear!"] He understood that to be the case; and he knew that last Session speeches were reported in *Hansard* which were certainly not delivered in that House. He had listened to speeches in that House, and he had read entirely different versions of them afterwards in *Hansard.* It was the custom of Mr. Hansard to report all speeches in the third person, with the exception of those delivered by Ministers. Well, he had seen speeches in *Hansard* relating to Irish questions delivered by Gentlemen who were not Ministers, and yet they were in the first person singular. He could not believe that those speeches, produced in this most minute way, were those delivered when the subject was under discussion. Nor could he believe that Mr. Hansard supplied proofs of some speeches at all in the form in which they were published. He had no fault to find with the proofs which Mr. Hansard sent round. He (Mr. Parnell) rarely made any corrections in those sent to him. Last Session he only had to make two or three unimportant ones, and this Session only one or two. But what he had to suggest was, that any correction which a Member made in the proof of his speech, except it should be merely a grammatical error, should appear, not in the body of the speech, but as a foot-note appended to that speech. By that plan, they would be able to see what Mr. Hansard's ideas really were as to the speeches of Members, and they would read his report, and not the versions of their utterances as supplied by hon. Members themselves. He thought it exceedingly important, that whatever alterations or corrections Members desired to make in their speeches should be appended as foot-notes to those speeches, or, otherwise, no one would know what they were paying for. Practically, if the present system continued, they would be paying to enable Members to alter or do what they liked with their speeches.

Mr. MITCHELL HENRY said, his hon. Friend the Member for Meath (Mr. Parnell) could not expect to have all his speeches reported at length in *Hansard,* for if he did he would require a *Hansard* to himself. He thought his hon. Friend had not read *Hansard* very carefully, or he would have seen that the speeches which were supplied by Members in the first person were always distinguished by an asterisk, to show that they had been so supplied. All who had sat in that House for any length of time must remember the remonstrances which had been urged against the Vote for *Hansard's Debates*, on the ground that Mr. Hansard refused to alter speeches in any manner a Member desired. What he (Mr. Mitchell Henry) believed to be the general rule was this—such alterations in a report as were necessary, and within fair and reasonable bounds, were allowed; but Mr. Hansard felt himself under moral responsibility to the House of Commons not to permit those extensive alterations which his hon. Friend the Member for Meath had spoken of. Before he sat down, he wished to remark that Mr. Hansard had informed him that the most careful speakers—and those most careful of the honour of the House of Commons and of the time of the country—were precisely the gentlemen who took the most pains to correct their speeches. The Prime Minister (the Earl of Beaconsfield) corrected his speeches very carefully for *Hansard;* the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) had always done so; and he (Mr. Mitchell Henry) remembered the right hon. Gentleman speaking in the House of the hard task he found it to correct his speeches for the printer. He (Mr. Mitchell Henry) ventured, therefore, to suggest to his hon. Friend the Member for Meath that perhaps he might with advantage devote some portion of his own time to correcting those of his speeches which were reported. His doing so might possibly trench on the time which he now had for speaking in the House; but, at any rate, by his so acting posterity would have a better opportunity of judging of the quality of his utterances than would otherwise be afforded.

Mr. BIGGAR said, the great value of *Hansard's Debates* was to place on record the exact words uttered—especially by Ministers. He considered that Mr. Hansard ought to supply a first-rate report on being paid what was reasonable and fair for his labour. At present Mr. Hansard was paid too little for a good report, and too much for an incomplete one. He regarded the practice of supplying proofs for correction as most objectionable, and it certainly was a bad precedent for a Member to contribute his own speech. No alteration should be permitted unless it were inserted in italics, or in brackets, to indicate that it was an alteration. Unless that were done, what was the use of referring to *Hansard* in order to quote the exact words which were used? Of course, the exact words employed upon such a subject as the Eastern Question were of great importance, and in a permanent record of what occurred on other subjects the exact words used were equally essential. Unless the corrections or alterations of hon. Members were plainly distinguished from the report, the present system of reporting speeches would be of no advantage. What ought to be done was this—to say to Mr. Hansard—"Here is a certain sum to do the best you can with, but you are either to give a good report or none at all." Either the work should be properly done, or the House should be in no way responsible for it. At present, he thought the reports carried no official weight with them.

Mr. J. COWEN had considered that this subject was disposed of on Monday. He thought the Gentlemen who passed this criticism upon Mr. Hansard had no practical grievance whatever. He would undertake to say—and he spoke with some knowledge of such duties—that it was impossible to conceive a man doing the work better or more fairly than Mr. Hansard did, considering the circumstances, considering the disadvantages, and considering the position in which he was placed. It was scarcely worth while prolonging a discussion on a subject which had already been under the consideration of the House; but he felt desirous, at least, of lodging his protest against the unjust condemnation of a gentleman to whom the House and the whole British nation were indebted, and who for over 40 years had conducted a very thankless and unprofitable work with great ability and much self-sacrifice.

Mr. PARNELL thought he had paid Mr. Hansard the highest compliment which he could possibly pay him. He did not say, as his hon. Friend the Member for Galway (Mr. Mitchell Henry) had asserted, that he never took the trouble to correct the reports of his speeches. What he, in reality, said was, that Mr. Hansard's proofs of his observations in that House were so good, that he seldom or never found it necessary to correct them. This, surely, was a very different statement from that which had been put into his mouth by his hon. Friend the Member for Galway. He distinctly stated—and he had no doubt that *Hansard* would report him as having so stated—that he very seldom found it necessary to make corrections in the proofs which Mr. Hansard furnished to him. Indeed, he found it scarcely at all necessary, both this Session and last Session, except in unimportant details, to make any corrections in the reports of his observations. The recommendation he made was that any alterations which Members made in the proofs should be appended as foot-notes to those proofs, and should appear as foot-notes to *Hansard's* reports of the speeches afterwards. Otherwise, hon. Members would not know what they were paying for. They would not know whether they were paying for *Hansard's* reports, or for the reports of the Members themselves. For his own part, he had very much more confidence in *Hansard's* reports than in any report which a Member might make of his own speech, either before or after it had been delivered.

Sir ANDREW LUSK wanted to know where they were? It appeared to him that they were rambling over the whole Vote.

The CHAIRMAN said, the Question before the Committee was the Vote for the Stationery Office.

Mr. O'DONNELL desired to call attention again to the subject of the Queen's University and the Queen's Colleges. Before doing so, however, he would point out that there was a Vote here for stationery which would be supplied to the Civil Service Commission. He hoped the hon. Baronet would briefly give some information concerning this Vote. He understood that in the Civil Service examinations changes had lately been made which imposed denominational disabilities. Until the last year or two, he believed, candidates who passed the Civil Service examination for India became entitled to an allowance of from £150 to £200 per annum.

The CHAIRMAN, interposing, said, the hon. Member was entirely out of Order in discussing the rules of the Civil Service Commission, which had nothing whatever to do with the Vote for Stationery.

Mr. O'DONNELL said, he was going to ask a question on the subject. He was raising the point on the Vote generally, and not on any particular item. On the general Vote, he begged to move its reduction by the sum of £271,000—that being the amount required for printing, paper, parchment, vellum, and binding for the various Departments. He did this on the following ground:—The Government had informed the Committee that they were going to supply printing, paper, parchment, and vellum for the use of the Queen's Colleges; and, as they declined to bring forward these matters under special heads as items, his only resource was to object to the payment of any public money to the public Departments in respect of stationery. In this manner he should object to the grant of any money for the Queen's University in Ireland. He objected to the item relating to printing for public Departments, because it included printing for the Queen's University, and would enable that University to lay before the House of Commons documents representing the Institution as a success, whereas everybody in Ireland knew perfectly well that it was not a success. In like manner, he objected to furnishing paper to the public Departments, because that would allow a supply of paper for the examinations of the Queen's University and the Queen's Colleges; and he objected to being in any way a contributor towards facilitating those extraordinary examinations, as to the character of which many Professors of the Queen's University had themselves borne testimony. He objected to paper being supplied for the Greek matriculation examinations. Again, he objected to the parchment and vellum, because they were employed for the diplomas or degrees granted by the Queen's University. He should continue to object to this item until some provision was made to distinguish the good degrees from the bad degrees in the Queen's University. He did not know how far the Chairman could permit him to go on justifying his objections. Perhaps the hon. Gentleman might consider it hardly sufficient for him merely to state that books printed by the Stationery Department for the Queen's University contained Returns which were erroneous. It might be thought that the Committee was entitled to be informed how they were erroneous, and how the examination papers were used for purposes which were not real. At the same time, if the Chairman held that it was only in his power to state his own opinion that these items were misapplied, he could, of course, only bow to such a ruling. He now merely asked the Chairman whether, when he affirmed that the money asked for in this Vote would be expended on public Departments, and, consequently, on the Queen's University as well, he was entitled to show that it would be misapplied?

MR. O'CONNOR POWER said, this point of Order occupied a good deal of time on the last occasion when this Vote was under consideration. He then ventured to appeal to the Chairman for a decision; and it was stated, during that discussion, that the item for stationery with reference to the Queen's Colleges represented the amount which had been expended in 1876-7. Now, these were either Estimates or accounts. Taking them to be accounts, they were also indications of the amounts of money which it was expected would be required for the same expenditure again. There was a marked distinction between an Estimate and an account. If he were told that this was an account, he must ask the Government—"What is your Estimate?"

MR. A. F. EGERTON said, that although the hon. Member had risen on a point of Order, he appeared to be going into the question as to what was an Estimate and what was an account.

MR. PARNELL expressed his belief that his hon. Friend was speaking on the point of Order.

THE CHAIRMAN thought the hon. Member's remarks were somewhat remote from the point of Order which had been raised. Hon. Members ought to confine their observations to a discussion of this particular Vote. It raised the question of the supply of stationery to the public Departments, and any hon. Member might object to its application to a particular Department; but he could not go into the constitution of that particular Department at length. That had better be done in the discussion on the Estimate for that Department.

MR. PARNELL said, the difficulty the Committee were placed in was this—The sum of £451,745 was asked for by the Government for the expenses of the stationery and printing Departments. The Government furnished the Committee with an account of monies paid to the different Departments in 1876-7, and in that account there occurred an item of £289 for printing and stationery for the Queen's Colleges in Ireland. Of course, this was an intimation by the Government that a somewhat similar sum would be required for the same purpose out of the present Vote. Consequently, in voting this £451,745, the Committee were voting a sum of £300, in round numbers, for the purpose of the Queen's University and the Queen's Colleges in Ireland. By his ruling the Chairman refused to give hon. Members an opportunity of stating their objections to applying that sum for such a purpose. Irish Members were, therefore, prohibited from stating why they could not conscientiously vote any money for any purpose in connection with the Queen's Colleges. As this was a matter of the gravest importance, and as there had been several discussions on the subject, he submitted that hon. Members were entitled to have the opinion of the Speaker of the House on this important question. Therefore, he begged to move to report Progress, in order that they might have the decision of the House of Commons and of the Speaker as to the correctness of the Chairman's ruling.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Parnell.*)

THE CHAIRMAN said, he had not excluded any debate on any of the items which appeared in the account, although he had endeavoured to confine the remarks of hon. Members to the subject under discussion.

SIR HENRY SELWIN-IBBETSON: I appeal to the House to protect its Chairman. We have here, Sir, an unexampled attempt to set your authority at naught; and, under these circumstances, I think it would be only becoming of us to express now that they have confidence in your ruling, and that it is not to be set aside by such an attempt as has been made on this occasion.

Mr. DILLWYN hoped his hon. Friend the Member for Meath would not press his Motion to a division. If every single particular relating to every Department in the country were allowed to be discussed in the consideration of this Vote, the Committee would be landed in an illimitable debate.

Mr. LYON PLAYFAIR said, that when this question was originally brought forward, he expressed his opinion that it might be just and reasonable for the Irish Members to move a reduction of the Vote by the amount which, on the average, was spent on the Queen's Colleges, as expressive of their dissent from that particular item. He was perfectly aware at the time that this was not described in the general Estimate as a Vote for the Queen's Colleges. If the Irish Members divided now against the whole Vote for the Stationery Office they would place on record in another, but still in the most emphatic, manner, their protest against the Queen's Colleges; and, after that, he hoped they would allow the other Votes to be taken. He trusted his hon. Friend the Member for Meath would not put the House in a false position by pressing to a division his Motion for reporting Progress.

Mr. O'DONNELL denied that there was any disposition on that side of the House to treat the authority of the Chairman otherwise than with the greatest respect. But when a grave and delicate technical point, on which many senior Members appeared to differ, was before the Committee, it was quite competent for an hon. Member, with all respect for the Chairman, to ask for an appeal to a higher authority. The right of appeal was a protection to Members against possible errors on the part of the Chairman, and it was likewise a protection to the Chairman himself, who, in case of necessity, might be fortified by the supreme authority of the House. He did not think it was fair for the hon. Baronet the Secretary to the Treasury to address himself in such a manner as he had done to a Member who was seeking a solution of a delicate and difficult point.

Mr. O'CONNOR POWER said, it appeared to him, when they were discussing this question the last time, that every Member of the Committee was most anxious to ascertain the decision of the Committee on the point raised. He thought that if the Chairman had given his decision on that occasion, it would have been acquiesced in by all. For his own part, he would state quite unreservedly that, in his opinion, the views put forward by the right hon. Gentleman the Member for the University of Edinburgh (Mr. Lyon Playfair) were perfectly reasonable. The Irish Members were quite justified in fighting against the item of £289 for the Queen's University. No one, he believed, had denied their right to exhaust all the Forms of the House in protesting against the item. But if their action in this respect necessitated resistance to items, in regard to which they entertained no conscientious objections, of course an injury was done to Public Business, and a certain obstruction was raised which did not appear to be of a Constitutional character. He must join his hon. Friend in regretting the course which the hon. Baronet had thought proper to adopt. Of course, it was a matter of taste and judgment; and if he considered there had been anything like a disposition to set up the opinion of a small minority of the Committee against the decision of the Chair, no doubt it was to be expected that the hon. Baronet would stand up for what might be called the dignity of the Chair. At the same time, he thought the hon. Baronet himself would not be prepared to deny that a Member of the Committee, even if he stood alone, would be acting in a manner that was not disrespectful to the Chair by taking his case, as it were, to a higher Court of Appeal. The hon. Baronet said he would ask the House to support the authority of the Chair. This, however, was not the House, but only a Committee of the House. What he would now submit to the consideration of his hon. Friend the Member for Meath was the argument put forward by the right hon. Gentleman the Member for the University of Edinburgh. The Irish Members had stated more than once the nature of their objection to the payment of any money to the Queen's Colleges. An item relating to those Colleges came on for consideration now. Let them, therefore, lodge their protest against that item, and when the other items came forward, let them take them all in order, and protest against every one of them. That would be as complete and as thorough a protest as even the most patriotic Irishman could desire.

Mr. BIGGAR did not think his hon. Friend the Member for Meath intended any disrespect to the Chairman or his ruling. Like his hon. Friend, he differed from that ruling; but all they asked was, that the decision of the highest authority—namely, the Speaker of the House—should be obtained on the question.

The CHANCELLOR of the EXCHEQUER: The doctrine laid down by the hon. Member for Cavan is exactly that which we cannot admit. He says that when any point arises on which your ruling, Mr. Chairman, seems doubtful to any Member of the Committee, that Member has a right to appeal from your ruling to the ruling of the Speaker in the Chair. Now, that I imagine to be a misconception on the part of the hon. Member. The Chairman of the Committee is absolute in the direction of the Business of the Committee, and there is no appeal from the Chairman of the Committee in the direction of the Committee to the Speaker—or anyone else. That doctrine being obviously necessary for the proper conduct of Business, we must support you, Sir, in your ruling, even if I were to differ from your individual opinions. Hon. Members may have differences of opinion; but we must, for the sake of Order, submit to the ruling of the Chairman.

Mr. PARNELL said, that nothing in his manner, or in what he said, conveyed any disrespect to the Chairman. It was perfectly absurd for the Chancellor of the Exchequer to say that there was no appeal from the Chairman of this Committee. From this Committee an appeal lay to the House and to the Speaker with reference to any point of Order which might have been decided. It would be monstrous to confide to any Member of the House the right of deciding, beyond appeal, upon matters of Order and matters of form. There was an appeal on matters of Order from the Chairman of Committees to the highest functionary of the House—namely, the Speaker himself. From any decision of the Speaker they could appeal to the House. He repudiated strongly, and with indignation, the charge of the hon. Baronet — a charge which the hon. Baronet ought not to have made, and which he would not have made if he had really understood the position of affairs. His appeal on this occasion was not an attempt to over-ride the authority of the Chair. He submitted that this Committee was entitled to make a direction that the opinion of the Speaker and of the House should be taken upon the point of Order which the Chairman had decided. Were any other contention possible, it would be tantamount to placing the Chairman of Committees in a higher position than the Speaker of the House of Commons, and the House of Commons itself. The Standing Order of the House very properly provided the means by which the Committee could, if it pleased, at any time submit any ruling of the Chairman of Committees to the decision of the Speaker, and from the decision of the Speaker to the decision of the House itself. On one occasion, the Speaker of the House was actually held down in his Chair by hon. Members when he desired to go contrary to the opinions and feelings of the majority of the House, and to commit a breach of Privilege in the interest of the Sovereign. It was absurd to set up any person or authority above the authority of that House. He was entitled to ask the Committee, by moving to report Progress, to submit to the Speaker or to the House any question as to the ruling of the Chairman. He wished to point out that the items which the Irish Members objected to were not items in the account at all, but sub-heads in the Vote itself. Sub-head E was for printing, &c., for the public Departments, and the Irish Members contended that, as a portion of the money was to be spent for the purposes of the Queen's Colleges and the Queen's University in Ireland, they had a right to state their reasons for objecting to it. The conduct of the Chancellor of the Exchequer, in seeking to prevent the right of the Speaker to control the conduct of the proceedings of the House, even though the offender was a functionary as high in rank as the Chairman of Committees, would be consistent in the case of an arbitrary Minister or an absolute Monarch; but it was altogether out of place in this country and in existing circumstances. To permit a proceeding of the kind was apt to lead to serious encroachments upon the rights of Parliament. The occupants of the Ministerial Bench were too much in the habit of supposing that they, in their own persons, constituted the House of Commons, instead of being simply Members of it, the Chancellor of the Exchequer, as one of the Members, having been intrusted with certain functions. The right hon. Gentleman certainly had no power to decide a question of Order upon a point which had been raised by another Member of the House who wished to appeal to the Speaker; and, unless a satisfactory answer was forthcoming, he should certainly think it his duty to divide the Committee upon the question.

Mr. T. CAVE said, the hon. Member for Meath might be correct in saying that he intended no disrespect to the Chairman; but, whether he did so intend or not, he was certainly disrespectful to himself and to other hon. Members who had come down to the House with the *bonâ fide* intention of discharging their duties to the country in Committee of Supply. He (Mr. Cave) had come to that House, in obedience to the will of his constituents, to vote with the Government when, in his opinion, they were right, and against them when he believed they were wrong. He trusted his conscience would acquit him of ever having given a vote which was not in accordance with this principle; but when the hon. Member for Meath and one or more other Members conspired, as it was well understood before going into Committee that they had done, in order to prevent progress on Supply——

The CHAIRMAN ruled that the expression "conspired" was out of Order.

Major NOLAN pointed out to the hon. Member for Barnstaple that, according to a recent ruling of the Chairman, the use of the word "confederates" would be quite in Order.

Mr. T. CAVE said, he would at once substitute the word "confederated" for the word "conspired;" and, in any case, he had a right to object to the hon. Member coming down to that House, together with a few confederates, in order deliberately to obstruct the Business of Parliament.

Mr. PARNELL asked the Chairman to rule that an hon. Member was not in Order, without clear proof, in charging him with deliberately interrupting the progress of Business.

The CHAIRMAN said, that as the hon. Member for Meath had asked him for a distinct ruling upon this point, he was bound to say, from what had occurred in the course of the Committee, that he had not felt justified in stopping the hon. Member for Barnstaple in the statement which he was making.

Mr. T. CAVE said, he should be sorry to over-step the ordinary rules of debate; but it was a deplorable humiliation, and was intended so to be, that the House should have to listen, over and over again, to the same arguments—if, indeed, they were worthy the name—and that the hon. Member for Meath should have the impertinence——

The CHAIRMAN ruled that the use of the word "impertinence" was not Parliamentary.

Mr. T. CAVE said, he would at once withdraw the expression; but, in doing so, he must remind the Committee that the hon. Member for Meath had demanded that the debate on the *Hansard* Vote should be resumed, although it had been thoroughly considered the previous night, because, forsooth, he had been absent from his place during that discussion; and he must express his regret that he could not use the strongest words in the language in reference to the conduct of the hon. Member, whose return to that House had been a curse to the United Kingdom.

Major NOLAN protested against the violent language of the hon. Member for Barnstaple. The hon. Member for Meath had millions behind him—not millions of electors, of course, but millions of the population of the country—and the opinions which he expressed were, therefore, not to be despised. As for the hon. Member for Barnstaple, the constituency which he was supposed to represent did not number more than 11,000.

The CHAIRMAN remarked, that the population of Barnstaple, or the number of electors in the borough, had nothing to do with the Question before the House, which was that he should report Progress.

Major NOLAN said, he had only made the comparison between the relative positions of the hon. Members for Meath and Barnstaple, because the remarks of the last-named Gentleman, which he heard immediately on returning to the House after having dined, seemed to require that he should do so. It was well known that millions of people in the United States, in Australia, and in the

Colonies, were of opinion that the Irish Members in that House were set at defiance.

Mr. SULLIVAN pointed out that when the hon. and gallant Member for Galway incidentally mentioned the fact that he had been dining an hon. Member opposite said, audibly—"He looks like it." He tried not to hear offensive observations of this kind; but on the present occasion he could not help it, and everyone knew the imputation which was conveyed in the remark.

The CHAIRMAN said, that whenever any observations of an offensive or personal character reached the Chair he always endeavoured to repress them; but, at the same time, he must point out to the hon. and learned Member for Louth that nothing had a stronger tendency to bring the proceedings of the House into contempt than for hon. Members to rise in their places and call attention to snatches of private and confidential conversations which they might happen to overhear.

Mr. SULLIVAN said, he had tried not to observe the bad manners and rather vulgar conduct of some hon. Members of that House, but he could not succeed in doing so. He would not have called attention to the observation just made, had it not been sufficiently audible to be heard across the floor of the House.

Mr. O'CONNOR POWER regretted that the right hon. Gentleman the Chancellor of the Exchequer had not made his meaning more clear. An hon. Member had a right to appeal against a decision of the Chairman; but he must, in the first place, appeal to the Committee, and if the Committee could not agree upon the point, he was within his right in moving to report Progress, in order to call attention to the point which he had raised.

Mr. SULLIVAN appealed to his hon. Friend the Member for Meath (Mr. Parnell) to allow the matter of the Chairman's ruling to drop, and to take a division upon the Vote, whereby hon. Members could record their protest against it. There would be an opportunity hereafter of discussing the whole question of the Queen's Colleges. He (Mr. Sullivan) while ready, at any time, to participate in genuine discussion to the fullest extent, would not be a party to any dilatory resistance to the progress of Business.

Mr. PARNELL said, there were several ways of appealing against the decision of the Chairman, and he was acting on a precedent set last Session. On that occasion, when he objected to a ruling from the Chair, he was told that his proper course was to move to report Progress, and that was all he had done on the present occasion. He denied the right of the Chancellor of the Exchequer to set up Standing Orders of his own in reference to the way in which the Business of the House ought to be conducted; and he contended that if any hon. Member thought a decision from the Chair was wrong, he had a right, without being bullied, to ask that the opinion of the highest authority in the House should be taken upon the question. He had no fear of any threats that might be made against him; and as for the hon. Member for Barnstaple (Mr. T. Cave), he would not have dared to say what he had said outside of the House, or anywhere beyond the jurisdiction and the protection of Parliament. If the Chancellor of the Exchequer desired to send him back to Ireland, he should be glad to quit his connection with that House.

The CHAIRMAN said, the observations of the hon. Gentleman had nothing to do with the Question before the Committee.

Mr. PARNELL said, the attacks which had been made upon him had tried his patience to the utmost. It was no pleasure to him to sit in that House from its sitting till its rising; and if the Chancellor of the Exchequer objected to his being there he could challenge his presence, which he wished the right hon. Gentleman would do forthwith.

Mr. J. COWEN thought the discussion to which they had listened a most unfortunate one. He had great respect for the abilities of the hon. Member for Meath (Mr. Parnell), who discharged his duties according to his conscience; but he objected to the nagging sort of opposition which he offered to several questions, and which had, over and over again, defeated the object which he had in view. He hoped a division would be taken upon the question of the Vote, as suggested by the hon. and learned Member for Louth, which had been thoroughly ventilated by the Committee, and that they might get out of the atmosphere of irritation in which they had been for some time.

Mr. O'SHAUGHNESSY said, the difficulty had arisen on the question as to whether the Committee had power to appeal against a decision of the Chairman? and, as that was a question of much importance, he thought a division ought to be taken upon the question of reporting Progress.

Mr. O'CONNOR POWER said, he was certain the Chancellor of the Exchequer could not have meant that the decisions of the Chairman were beyond appeal. The state of the case was, that unless the Committee required direction there was no appeal. He should like to have a decision on the question; but, under the circumstances, he thought his hon. Friend the Member for Meath (Mr. Parnell) would gain nothing by dividing, the opinion of the Committee being evidently in favour of the ruling of the Chairman.

The CHANCELLOR of the EXCHEQUER said, he agreed with the hon. Member for Mayo (Mr. O'Connor Power) as to the undesirability of prolonging this discussion; but he wished to say one or two words, in order to avoid any misconception. He was not present when the question was raised, but he heard the speech of the hon. Member for Cavan (Mr. Biggar). He understood that hon. Gentleman to argue that there was a right, on the part of any Member of the Committee who might be dissatisfied with any ruling from the Chair, to appeal to the Speaker and the House. Against such a doctrine he wished to enter a protest. If the House were constituted as a full House, and a question of Order was raised, there could be no doubt that any hon. Member might rise and appeal to the Speaker to settle the point. When, on the other hand, the House was in Committee, any hon. Member might appeal to the Chairman to settle a point of Order, and in this case, also, the decision was final, unless an appeal was made to the House. Undoubtedly, there was an appeal to the House; but it must not be that of a single Member, but of a majority of the Committee. This was all he meant to say in answer to the hon. Member for Cavan (Mr. Biggar), who contended that every individual Member had the right to appeal to the Speaker from a decision of the Chairman. He hoped the hon. Member who had moved to report Progress would at once proceed to do so, if he intended to take the opinion of the Committee on the question.

Mr. SULLIVAN said, that after what had been advanced, he saw no reason for dividing upon the Main Question at the present time.

Mr. BIGGAR said, when he spoke he stated that he did not profess to know clearly what the rights of the Committee or the Chairman were. The right hon. Gentleman laid it down, however, that there was no appeal whatever from the ruling of the Chairman, though it now appeared that there was, in some roundabout way, a power to appeal. As regarded some remarks which had recently been made, he would say that he did not think they ever set the opinions of the Chairman at defiance. He and his hon. Friends had only urged their own views with as much force as possible, and on this occasion he had not heard a single argument against their contention. They had been denounced in strong terms; but no one had used an argument to show that they could not discuss the Queen's Colleges on this particular Vote.

Mr. PARNELL said, it now appeared that the Chancellor of the Exchequer had stumbled into the position he (Mr. Parnell) took up, and that he had not previously examined his premises. The right hon. Gentleman announced, with all the importance belonging to the Leader of the House, that there was no appeal from the decision of the Chairman, and he (Mr. Parnell) had protested against such a doctrine, and the Chancellor of the Exchequer now admitted he was wrong. ["No, no!"] If hon. Members could not believe their own ears, he was sorry for them. He moved that Progress be reported, because he wished that the ruling of the Chairman should be submitted to the House. Of course, if the Committee decided not to report Progress, that was equal to saying they did not wish the ruling of the Chairman to be submitted to the House. All this matter would have been ended long ago had it not been for the intemperate interruption and language of the hon. Member for Barnstaple (Mr. T. Cave) and the Secretary to the Treasury (Sir Henry Selwin-Ibbetson), who ought to have had more sense than to take up the impractical position which he had done. Under all the circumstances, he would not put the Committee to the trouble of dividing on the Question of reporting Progress; but he would ask leave to withdraw. ["No, no!"]

MAJOR NOLAN hoped the hon. Member for Meath (Mr. Parnell) would be allowed to withdraw the Motion, because, otherwise, several hon. Members would be placed in a very invidious position.

MR. BARING wished to know who was responsible for the awkward position in which they found themselves?

MR. DILLWYN said, he had listened with great attention and pain to what had taken place, and he thought great blame was to be attached to both sides. Considerable blame was due to the Secretary to the Treasury (Sir Henry Selwin-Ibbetson) for the tone he adopted at first, and strong objection must be taken to the very intemperate language which was subsequently used by the hon. Member for Barnstaple (Mr. T. Cave). No doubt the Committee was in an unpleasant position; but there were faults on both sides.

MR. LYON PLAYFAIR feared they were getting into another personal altercation, just when they were on the point of obtaining a division. Hon. Members had seen the force of the appeal made to them that they should allow a division to be taken on the main issue, and not press the Motion to report Progress; and, therefore, it was very desirable there should be no opposition to the withdrawal of that Motion.

MR. STORER did not think it would be at all consistent with the dignity of the Committee to pursue the course just suggested. The credit of the Committee was impugned by the Motion to report Progress; and hon. Members, having placed themselves in a false position by that Motion, did not now wish to persevere with it. For his part, he did not think they ought to be allowed to withdraw; but that they should be forced into a division.

THE O'CONOR DON had been many years a Member of that House, and that was the first occasion that he had heard an hon. Member, who was in favour of making Progress, oppose the withdrawal of a Motion to report Progress.

MR. PARNELL said, as far as he was concerned, he certainly should not take a division.

Question put, and *negatived.*

Original Question again proposed.

MR. PARNELL moved the reduction of the Vote by £271,000, being the sums under sub-heads E, F, G, and H, out of which amounts might be paid to the Queen's Colleges in Ireland. By the ruling of the Chairman he was unable to state the reasons he had for objecting to any monies being paid to the Queen's Colleges; and, therefore, he would content himself with simply moving the reduction of the Vote.

Motion made, and Question put,

"That a sum, not exceeding £105,545, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for Stationery, Printing, Binding, and Printed Books for the several Departments of Government in England, Scotland, and Ireland, and some Dependencies, and for Stationery, Binding, Printing, and Paper for the two Houses of Parliament, including the Salaries and Expenses of the Stationery Office."—(*Mr. Parnell.*)

The Committee *divided:*—Ayes 20; Noes 123: Majority 103.—(Div. List, No. 134.)

Original Question put, and *agreed to.*

(2.) £19,492, to complete the sum for the Woods, Forests, &c. Office.

MR. MACDONALD said, that there were one or two items of which he should like to have some explanation. The first was that for the Chief Mineral Inspector. He should like to know what the work performed by that official was, and what the office had to do with Woods and Forests? He saw that the gentleman was paid £800 per annum, and his emoluments were greatly increased by his giving lectures on Mining and Mineralogy at the Geological Museum. The next point was that of the two Commissioners, who received £1,200 per annum each. In addition to that, the First Commissioner received £1 6*s.* 8*d.* and £11 for such offices as Keeper of Westminster Hall, and for locking the Hall Door. He mentioned these small matters as a protest against the multiplicity of offices held by one man, and also as a protest against gentlemen getting a salary of £1,200 a-year holding such offices as these. Then he found, in addition to the salary of the Receiver General, an item of "allowances personal;" and there not being any explanation of it, he should like to know what was the cause or explanation for the "allowances personal?"

Mr. MELLOR called attention to the arrears of rental, which had been increasing annually. He had asked a question upon that subject years ago, and he received a promise that the matter should be inquired into; but he found that little or no attention had been given to it since that time, and he saw that the irrecoverable arrears had increased by £1,000.

Sir HENRY SELWIN-IBBETSON said, in answer to the first question of the hon. Member for Stafford (Mr. Macdonald), with regard to the Chief Mineral Inspector, the gentleman in question was a scientific man—Mr. Warington Smyth. His duties consisted of inspection and supervision over the various mining properties belonging to the Crown. Those properties were of considerable extent, and he believed that the amount of gross receipts from those sources during the previous year had come to something like £53,000. The time of this gentleman not being fully occupied in Government work, he had been allowed to utilize his own time by giving lectures at the Geological Museum in Jermyn Street; and he would point out, that by following that course, the country generally benefited by the gentleman's knowledge and power, as well as the Department that paid him his salary. The large amount of property that was at stake necessitated the engagement of a person of the kind; and he believed, taking into consideration the powers and ability of the gentleman in question, that he was not overpaid by his salary. He was afraid he had forgotten the exact point with regard to which the reference to personal allowances was made; but he would point out to the hon. Member for Stafford, that when the item of personal allowances was recorded in the Estimates, it meant a remuneration for particular services performed by an official, and was so mentioned in order that the sum might not be supposed to attach ordinarily to the office. It was only on account either of length of service, or some extra or peculiar work, that an addition was made to anyone's salary, and it was to prevent its becoming a part of the salary that it was placed in the Estimates in the form of a personal allowance. With regard to the small sums paid to the First Commissioner of Woods and Forests for certain offices in connection with Westminster Hall, he believed those items were put down in accordance with an old custom which attached to that particular office. It might be rather antiquated in its form; but the emolument, such as it was, the First Commissioner continued to receive, though he believed there was no particular duty performed in respect of it. His attention had not been called before to the point raised by the hon. Member for Ashton-under-Lyne (Mr. Mellor), as to the arrears of rental; but he certainly would look into the matter, now that his attention had been called to it.

Mr. GREGORY wished, if he were in Order, to call attention to a retiring allowance made to the late Solicitor to the Department, in assessing which he thought that sufficient consideration had not been given to the period of service of that gentleman.

Mr. HERMON said, he would take that opportunity of recognising the readiness with which the hon. Baronet the Secretary to the Treasury, who had so recently taken charge of the Estimates, evinced in answering questions and offering explanations; and, in the case under notice, he was very glad to see that the Department was occupying the attention of the hon. Baronet; because, for many years, when he had had a seat on the other side of the House, and on several other occasions, he had pointed out that this was a Department which required special attention. He thought that when they looked at the estates that came under the management of the Commissioners, they would agree that those estates required to be managed more efficiently.

Mr. PARNELL agreed with the hon. Member for Preston (Mr. Hermon) that the Department was scandalously managed; that the country was entitled to a much larger return from the Woods and Forests; and that the expenses of management ought to be very much diminished. He did not think the Committee really understood how the Department was situated. In fact, it was a most extraordinary state of affairs. They found, by the Report of the Royal Commissioners, issued in 1855, that the cost of management alone of these Woods and Forests amounted to 25 per cent of the gross revenue. Now, what were those estates? They were, practically, something like the estates of private gentlemen, and what landed gentleman would like to have it said that the cost of managing his private estate was 25 per cent of its gross revenue? In some of the estates the cost of management exceeded their gross revenue. There was Windsor Park; and he must say that Windsor Park ought not to appear under that head at all. It should appear under the head of Royal residences. The gross revenue of Windsor Park amounted to £5,509 18*s*. 6*d*., and he found, from the Report of the Royal Commission, that the management of Windsor Park was put down at £24,738 11*s*. 10*d*. He supposed that a great deal of the management meant the expense of keeping up the Royal Palace; but, if so, it ought to have been included under the proper head. If it did not, he thought it was a perfectly monstrous thing that the management of the Park, apart from the Palace, should be £24,000; while only about £5,000 was derived from all the magnificent grass land in Windsor Park. It appeared to him that many of the estates were unprofitable; and he would press upon the Secretary to the Treasury the advisability of getting rid of some of these unprofitable estates. He would refer him to the Alice Holt Wood, which returned a gross revenue of £1,725 5*s*. 1*d*., while the cost of management was £632 16*s*. 9*d*., or 36·59 per cent of the revenue. The Vere Woods showed a gross revenue of £1,746 16*s*. 8*d*., and the cost of management £743 4*s*. 11*d*.—the percentage in that case being 43½. In the Forest of Dean the gross revenue was £12,550 1*s*. 4*d*., and the cost of management £6,138 2*s*. 10*d*., or 48·89 per cent. There were three woods—the Delamere, the Hazelburgh, and the Salse Woods—of which the Returns were not given. In the High Meadow the gross revenue was £5,377 12*s*. 10*d*., and the expenditure £1,600, or 30·5 per cent. The gross revenue of the New Forest was £10,207 10*s*. 2*d*., and the cost £8,987 16*s*. 4*d*., or 88·4 per cent. Now, he could not imagine how the New Forest returned such a very small revenue, as, from the nature of the property, one would think it one of the most valuable, instead of the least productive. The Parkhurst revenue was £420, and the cost £272, or 64·70 per cent. The Woolmer estate was the only one which was at all economical, the revenue being £1,000, and the cost £101, being only a percentage of 9·19. Taking at random a variety of arrears of rental since 1853, he found that in that year the gross revenue was put down at £358,266, and the expenditure at £111,711; and out of the gross revenue there was paid into the Exchequer only £252,000, so that the expenditure in that year was nearly equal to half the revenue. In 1864 the gross revenue was £432,148, and the expenditure £129,414. The amount paid in was £300,000, or rather more than double the expenditure. In 1870 the gross revenue was £447,000, and the expenditure £87,000, the amount paid in being £375,000. Of course, things were going on a great deal better; and he found in 1877 the gross revenue was £488,000, the expenditure £83,902, and the amount paid in £410,000.

SIR H. DRUMMOND WOLFF hoped his hon. Friend the Secretary to the Treasury would devote his attention to the Office of the Woods and Forests, which was now in the anomalous position of being practically exempt from Parliamentary jurisdiction. He had not a word to say against the present Commissioners, who were men of high character and great ability; but the Department, being unrepresented in that House by any officer over whom Parliament could have control, required entire re-organization to preserve it from abuses which were liable to spring up.

MR. DILLWYN remarked that the expense of the management of the Woods and Forests was altogether out of proportion to the revenue derived from them. What he wished particularly to call attention to, however, was the position of Windsor Park. That really was one of the Royal Parks, and ought to be regarded as such. It was absurd to treat it as a public Park, managed as property by the Woods and Forests, which was an accounting Department, when it cost £24,000 a-year, and only yielded £5,000 in return. No private person would manage property in that way. As a Royal Park its cost ought to rank as one of the charges paid to the Crown, and appear on the Estimates as such.

SIR HENRY SELWIN-IBBETSON maintained that the charge of mismanagement brought against the Department of the Woods and Forests by the hon. Member for Meath (Mr. Parnell) had not been proved. No doubt at one period the expenses very largely exceeded the receipts; but the difference had been steadily diminishing under the management of the last few years, the amount paid into the Exchequer for the year 1877-8 having been £410,000, as compared with £190,000 in the year 1838-9. However, he was quite prepared to give the Vote his particular attention. The Committee ought to remember that such property as Woods and Forests was necessarily unproductive for long periods. Young timber was not in a condition to be turned into profit, and considerable sums had to be spent for its maintenance. At present there was very little large timber standing; for the most part the trees had not attained such a growth as to be available for sale. Hence the disproportion between the expenses and returns, in part at least. Windsor Park, he submitted, was enjoyed as much by the public as by the Sovereign herself; and it ought never to be forgotten that of the £24,000 expended upon it, no less than £11,000 was for the maintenance of the lodges and roads, which enabled the public to enjoy its beauties. Under the original arrangement, however, it was distinctly understood that the Park should be maintained for the enjoyment of the Sovereign.

Mr. MACDONALD reminded the Committee that an increase of revenue was not necessarily an indication of better management—they might be eating the most valuable portion of the property away, and leaving it valueless. Had not the mineral property under this Department been developed, until at least it was, to a large extent, exhausted?

Sir HENRY SELWIN-IBBETSON said, that was hardly the case. The receipts from the mining property amounted to some £53,000 annually.

Mr. DILLWYN explained that he did not object to the expenditure of £24,000 on Windsor Park, or doubt that a large part of that sum was applied to the use of the public, as well as of the Crown. All he contended was, that the money for its maintenance ought to be voted by that House—that it ought to be put into the shape of a Vote, and appear in the Estimates, like the cost of Richmond Park, for instance, and not made a matter dealt with as though managed for profit.

Sir HENRY SELWIN-IBBETSON said, the present arrangement was effected by an Act of Parliament, and that it would require an Act of Parliament to reverse it.

Sir H. DRUMMOND WOLFF asked how the officers of the New Forest were paid, and to whom were people to go if they wanted a road to be made there?

Sir HENRY SELWIN-IBBETSON said, that information on these matters might be obtained from the new Verderer.

Sir H. DRUMMOND WOLFF insisted that, the officers of Woods and Forests being Government officers, their salaries should be submitted to Parliament. It certainly appeared to him very extraordinary that there should be Government officers all over the country without the House knowing who was responsible for their salaries. He had asked for the information in vain, and he thought the public interest required that the condition of the Office of Woods and Forests should be entirely revised, and that it would be a good work for his hon. Friend to undertake it.

Mr. MUNTZ held that all the receipts from the New Forest should go into, and that all payments in connection with it should go out of, the Exchequer. The reply of the hon. Baronet opposite (Sir Henry Selwin-Ibbetson) was the one they had so often heard before—namely, that things were not so bad as they appeared, because, while a few years ago the expenses of management amounted to nearly 50 per cent, they had gradually come down to 25. Now, what would any hon. Member think of a steward who charged 25 per cent for the management of his estate? [An hon. Member: 2*s.* 6*d.* per cent.] Well, he was glad to hear it was so low. He hoped his hon. Friend would continue, as he had hitherto done, to discourage extravagance, and that the Department would, by-and-by, double its revenue, and so abolish a national scandal. The expense of management might very properly be reduced to 5 or 7½ per cent.

Mr. GREGORY, in corroboration of the hon. Baronet's (Sir Henry Selwin-Ibbetson's) remarks, said, that in walking recently through a portion of the property in question he was struck by the large quantity of young and growing timber, which spoke very highly for the managers of it. At some future time there would be a good return; but at present the Woods and Forests were necessarily unproductive to a certain extent, owing to the large expenditure incurred by the planting and maintenance of young trees. Last year he was through the New Forest, and he had observed a similar state of things there.

Mr. RAMSAY also urged the adoption of an Estimate, expressing a hope that the Vote would take that form before next year. With regard to the question of management, no one knew better than the hon. Baronet himself, when he stated that since 1839 the revenues had increased from £190,000 to £410,000, that during the last 40 years the annual income from all real estate had increased in nearly as great a proportion without any reference to its management. An increase in the revenue of the Department, therefore, ought not to be accepted as a proof of good management. Enough, he thought, had been said to satisfy the Committee that the management of this property was anything but what it ought to be. He trusted that before next year some definite proposal for better administration than at present existed would be devised.

Mr. WHITWELL admitted that the management of the Woods and Forests entailed considerable expense, and expressed his satisfaction at the good accounts given of the growing timber. He found that the expenses of ordinary management—wages, salaries, and allowances—amounted to £16,000; but, turning over a leaf, he found that no less than £5,000 for legal expenses had to be added—a sum which appeared to him excessive.

Mr. MUNTZ expressed himself satisfied, from an examination of the accounts, that the expenses of management were fully 25 per cent.

Mr. O'DONNELL suggested that the Keeper of the Records should be placed upon salary instead of having to depend upon fees.

Sir HENRY SELWIN-IBBETSON said, that by arrangement made with the Government, all the time of the Keeper of the Records was duly accounted for; but that official was permitted to occupy his spare time in doing work outside the office, in order that he might acquire a general knowledge of the investigations in which he was engaged. With regard to the legal expenses of the office, they were necessarily incurred for the custody of a large number of deeds and records of exchanges and sales which took place under the direction of the Department. The property was scattered all over the country; and, that being so, he did not think the staff could be considered as excessive. At the same time, there might be points in regard to which improvement could be effected.

Mr. PARNELL said, the cost of managing the properties to which reference had been made amounted to 25 per cent of the net revenue. The expense connected with the management of 12 of the properties was £43,258, while the revenue only amounted to £38,000.

Mr. BIGGAR observed, that in addition to fees the Keeper of the Records received £150 salary. He suggested that the fees should go into the Treasury.

Mr. MACDONALD said, he had almost made up his mind to move a reduction of the Vote; but, remembering that the hon. Baronet had only recently entered upon his present Office, he would rest satisfied with expressing a hope that by next year the Secretary to the Treasury would be able to present a different record under this head.

Vote *agreed to.*

(3.) Motion made, and Question proposed,

> "That a sum, not exceeding £33,250, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Office of the Commissioners of Her Majesty's Works and Public Buildings."

Mr. DILLWYN directed attention to the item of £1,200, paid as salary to the Consulting Surveyor. The gentleman who occupied that position was also allowed private practice; and this, he thought, was to be deprecated. No man could properly serve two masters; and he hoped that the hon. Baronet (Sir Henry Selwin-Ibbetson) would direct his attention to this particular point. It seemed to him that the Consulting Surveyor received a sufficiently large salary to command his whole services. He should also like to know whether that officer was connected by partnership, or otherwise, with any of the other officers of the Department?

Mr. GERARD NOEL said, the Consulting Surveyor was in no way connected with any of the other officers of the Department. It was most important that there should be a gentleman of the highest ability in that position; and such an officer the Department now possessed. His duties were of an onerous description; and he received only £1,200 a-year.

Mr. MACDONALD said, there were several items in connection with the Vote to which he desired to direct attention. Commencing with the Private Secretary to the right hon. Gentleman the First Commissioner of Works, he found that that official also drew a salary as senior clerk in the Financial Secretary's Department of the War Office. In fact, two offices might almost be said to be the order of the day in these Departments. Again, he found that there was a Superintendent of Furniture at £400 a-year, a Deputy Superintendent, and an Assistant Superintendent. There was likewise a Store Keeper of Furniture. The object of the heads of Departments seemed to be a multiplication of offices; and he should like to have a general review of all those persons who were connected with the various Departments in Hyde Park, or somewhere else. He had been told that a number of them might be turned to better account in the British Museum than as occupants of Public Offices. He had referred to the fact that there were four officials connected with Furniture; but his objections under the Vote did not end with them. He found that there was a Superintendent for the supply of Coal and Firewood, and a Superintendent for the supply of Candles and Oils. He should fancy that it would be easy to find a man perfectly capable of combining these two offices at a single salary. Unless some satisfactory explanations were given, he should feel it his duty to move a reduction of the Vote to the extent which would be implied in the cutting off of, at least, four officials, whom he regarded as totally unnecessary, and whose continuance was simply equivalent to a scandalous waste of public money.

Mr. GERARD NOEL said, that with regard to the Private Secretary to the First Commissioner, a certain sum was deducted from his salary to compensate a clerk in a lower division for performing his duties. As regarded the Superintendents of Furniture, to which the hon. Member had alluded, he could assure him that those gentlemen had ample work to do. They had to look after the supply and repair of furniture in all the Public Offices in the occupation of Her Majesty's Government, in the House of Commons, in the Law Courts, in the Police Courts, in the Customs' Buildings, and in the Inland Revenue, and many other Departments to which he need not refer. They had, also, duties to perform in connection with the accommodation necessary for the different Commissions, and they had to take inventories of all the Public Offices. The hon. Member had only to glance at Class I. of the Estimates on Public Buildings to see the enormous number of those buildings which the officials in question had to look after. With reference to the Superintendent of Coals, he could assure the hon. Member that the duties of that officer were by no means light or unimportant. The Government made large contracts for coal in various parts of England, and it was necessary to have a gentleman who understood the different kinds of coal, and who could bring experience and knowledge to bear upon the duties of his office. As regarded the post of Superintendent of Candles and Oils, it was under consideration whether that office might not be combined with some other.

Mr. MUNTZ said, no sufficient answer had yet been given to the question as to the Consulting Surveyor. That gentleman might be a very valuable servant; but, in addition to his salary, he found, a few lines further down in the Estimates, that salaries were paid to four first-class Surveyors and six of the second class. Surely, those gentlemen ought to be able to perform the work which required to be discharged without paying £1,200 to a Consulting Surveyor. He knew that £1,200 in itself was a very trifling sum; but he appealed to hon. Members to look back upon the Estimates, and see whether it was not the case that year after year there had been an increase of expenditure in this Department?

Mr. WHITWELL inquired, whether the Surveyor who had been brought home from China and Japan would have the superintendence of diplomatic residences in more than one place, and whether he would supersede the local Superintendents?

MR. GERARD NOEL said, the gentleman referred to had been for many years in China and Japan; and, having learned his duty thoroughly, he had been brought home to England, and was now one of the first-class Surveyors. It was his duty to visit the different Embassies of Europe; but he would not supersede the local Superintendents.

MR. MELLOR asked, whether the Consulting Surveyor, with his £1,200 a-year, did not receive, at times, payment for other than Government work? Did he not, in fact, receive commissions on work done by contractors?

MR. GERARD NOEL replied, that the official in question received no commissions, but simply a salary of £1,200 a-year.

MR. MACDONALD said, that seeing the proposed Vote was in excess of that of last year, he would move its reduction by £791.

Motion made, and Question proposed,

"That a sum, not exceeding £32,791, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Office of the Commissioners of Her Majesty's Works and Public Buildings."—(*Mr. Macdonald.*)

MR. BIGGAR did not understand how the hon. Member for Stafford (Mr. Macdonald) had arrived at that particular sum; but he thought that if his hon. Friend would propose to leave out entirely the Vote for the Consulting Surveyor, he would simply be doing his duty. A more pernicious system could not exist than that of having a Consulting Surveyor paid by Government for part of his time, with liberty to take general practice. Hon. Members must be aware of what such a system might give rise to. He did not know the name of the gentleman referred to in this particular instance, and he could have no personal grudge against him. That gentleman might be immaculate and pure; but there could be no greater temptation than that which existed under the present system, for a Consulting Engineer or Surveyor to be employed by parties who wished to carry out little jobs for their own interest.

MR. PARNELL said, he desired to direct the attention of the Committee to the circumstance that one of the 15 third-class clerks, who received £300 a-year as a regular salary, also got £50 per annum as receiver of the tolls at Chelsea Bridge. That allowance was paid out of the tolls; but it appeared that there was a regular keeper who was paid for receiving the tolls. It seemed that the third-class clerk received the tolls from the toll-keeper; but all that the former functionary had to do might very well be performed by some official of the numerous Government Departments. A separate salary ought not to be allowed for such a purpose as this. There were several other salaries included in the Vote; but he could not trust himself to go into them in detail.

Question put.

The Committee *divided*:—Ayes 25; Noes 231: Majority 206.—(Div. List, No. 135.)

Original Question again proposed.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. M'Carthy Downing.*)

SIR HENRY SELWIN-IBBETSON said, he would ask the hon. Member for Cork (Mr. Downing) not to report Progress. The Committee had discussed the Vote at considerable length; and, if the hon. Gentleman would withdraw his Motion, he would move to report Progress when the Vote was agreed to.

MR. PARNELL said, he merely wished to ask—["Oh, oh!"]—it was impossible for hon. Members who had not been present the whole evening to understand the situation. He merely wished to ask a question of the right hon. Gentleman the First Commissioner of Works. It was, whether he knew how many times the Consulting Surveyor was consulted during the past year? He could not make out whether the Surveyor was consulted at all. He believed it was a sinecure office.

MR. GERARD NOEL said, it was impossible to give an answer to a question of that kind; but if he were to say "a thousand times," he should be considerably under the mark. The office was no sinecure, the gentleman in question being consulted almost every day by the Department.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Resolutions to be reported *To-morrow,* at Two of the clock.

Committee to sit again *To-morrow,* at Two of the clock.

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL—[Bill 44.]

(*The O'Conor Don, Mr. Richard Smyth, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, Mr. Redmond.*)

COMMITTEE. [*Progress 13th May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Extension of Acts prohibiting Sale of Intoxicating Liquors to the whole of Sunday).

Mr. M'CARTHY DOWNING, on rising to move an Amendment, said, he hoped they had now arrived at a time when the Committee would consider what course ought to be taken in regard to the position in which the Bill now stood. They had had a very long time of it on Monday night and the whole of Tuesday morning. He was one of those who contributed to an arrangement which, he trusted, was now to be consummated; and he further hoped that they would now discuss with calm consideration a question which involved the interests of a large class in Ireland, and, he ventured to think, the interests of a large class of the people of England hereafter, if this Bill were carried into effect. The right hon. and learned Gentleman the Attorney General for Ireland had proposed an Amendment to the Bill at the end of Clause 1. As the clause now stood, the hours were to be extended during which intoxicating liquors were not to be sold to the whole of Sunday. The right hon. and learned Gentleman's proposal to except five towns—namely, Dublin, Cork, Belfast, Waterford, and Limerick—had been accepted; and his (Mr. M'Carthy Downing's) Amendment was to insert certain words after the words which were accepted by the promoters of the Bill. The words would be—

> "Except all towns and villages with a population of 500, according to the last Government Census of the population."

He should propose that, in these places, public-houses should not be open before 2 o'clock in the afternoon, and after 5 o'clock in the evening of Sunday. At present, the law in Ireland was this—that on Sundays, in all towns where the population exceeded 6,000, the time during which intoxicating liquors could be sold was from the hour of 2 o'clock until 9 o'clock. In all towns where the population did not exceed 6,000, the hours were from 2 to 7 o'clock. The Committee would perceive that towns of over 6,000 had the right to sell liquor for two hours later than towns of less than 6,000. When this Bill was introduced, the Petitions in favour of it were for closing public-houses all through Ireland on Sunday. Those who had charge of the Bill referred to public meetings held in Dublin, Belfast, Limerick, Waterford, and Cork, to prove that the people of those great towns were entirely in favour of closing on the Sunday. No doubt that made a great impression on the minds of hon. Members. He (Mr. M'Carthy Downing) had heard the hon. and learned Member for Louth (Mr. Sullivan) speak in that House of the important meeting which took place in Phœnix Park, Dublin, where so many thousands of people were in favour of the closing of public-houses in that City. He also referred to an inquiry made in every house in Dublin, which ended in an immense majority signing in favour of Sunday closing. The same thing occurred in some other large towns; and yet the hon. and learned Gentleman voted for their exemption. What said the right hon. Baronet the late Chief Secretary for Ireland, when this measure was introduced in 1877—when some of the Irish Members said that, when there was a majority of Irish Members in favour of this question, then, as a matter of course, it ought to be accepted by the House, and English and Scotch Members ought to vote for it? He (the Chief Secretary) denied that if a majority of Irish Members were in favour of this measure, therefore it ought to be carried. If, he said, it was good for Ireland, it must be the same for England.

This was the thin end of the wedge; for, as sure as they passed the Bill for Ireland, the House would hereafter be assailed with thousands of Petitions from England, praying that a similar measure might be passed for that part of the Kingdom. He could not conceive how those who called themselves Liberals could advocate this Coercion Bill—how those who sat on the front Opposition bench could have allowed their " Whips " to go out and call in their Friends to speak in support of a measure which the people of Ireland looked upon as one of extreme injustice. The promoters of the Bill had talked a good deal of the Petitions that had been presented in favour of it; but where did those Petitions come from? The greater part from England. Since the 19th of January, the Petitions presented from Ireland were as two to one against the Bill; and most of those from England were from the Wesleyans and Primitive Methodists, and other Dissenting Bodies, thus showing that the movement was a Sabbatarian one, and not one coming from the people. If the Bill should be passed for Ireland, English Members who voted for it would certainly be told by their constituents at the next General Election—"You voted in favour of Sunday closing for Ireland; we, therefore, ask you, will you do the same for England? If you will not, we shall vote against you." If they were prepared to pass a similar measure for England, they would have the people up in arms against them. That certainly would be the result, if they attempted to deprive the people of England of their pint of beer on the Sunday, or of the means of enjoying themselves on that day. Many of the people in Ireland had to go two or three miles into a country town in order to attend a place of worship; and when they did so in cold and wet weather, were the promoters of this Bill to say to them—"You cannot go into a public-house and get refreshment?" There were other persons who went into a country town for the purpose, perhaps, of meeting their friends, or of settling their accounts. If this Bill became law, the public-house door, the only place where they could meet for such a purpose, would be shut against them. It had been asserted that a measure of this kind had done good in Scotland; but he asked the Committee to consider what were the Returns upon that point. They showed that, since the Forbes-Mackenzie Act was passed, there had been more arrests than before of persons charged with being drunk or incapable; for, between 1871 and 1876, the number of those offences had increased by 50 per cent in Scotland, while in England they had increased by 33 per cent, and in Ireland there was little, if any, increase. It had been said that an increase had occurred in the year 1874; but why? Because an Act was then passed requiring that the name of every person arrested for drunkenness should be entered in the petty sessions book; whereas, previously to that year, the law insisted upon no such record—if a man, brought up before a magistrate for drunkenness, was discharged, no more was heard about the matter, and this enactment was made on an Amendment of the hon. and learned Member for Louth. So that, in Ireland, there was a decrease of drunkenness, as every magistrate knew perfectly well whose duty it was to preside at petty sessions. But how was the opinion of the people to be ascertained? The House knew that there were paid agents employed—there were those who got up Petitions in favour of Sunday closing, and those who got up Petitions against that measure. But let hon. Members make inquiry as to the meetings which had been held where neither prejudice nor interest existed, and let them ascertain what had actually been done at those meetings. One such meeting had been held in his own county—Cork—presided over by the Rev. Canon Griffin, a dignitary of the Church. He held in his hand an account of what took place. In opening the proceedings, the rev. gentleman stated that when he consented to preside he did so on the distinct condition that the meeting was to be an open one, and that all parties might give their opinions on this vexed question of closing on Sunday. He went on to say that, if he were asked his own opinion with regard to the villages surrounding his own parish, he could emphatically affirm that there was no necessity for Sunday closing. The amount of intemperance on the Sunday, during the five years he had been in that parish, would not justify the passing of an Act by which the people would be deprived of their liberty. The very last visit he had the honour of receiving from Dr. Moriarty was on the Feast of St. John the Baptist, which fell on a Sunday, when Dr. Moriarty was gratified at the orderly and sober demeanour of the people as they left for their homes. On that, as on former occasions, his Lordship expressed himself to the effect that curtailing the number of hours during which public-houses might be open on Sunday for the sale of liquors would meet all necessary requirements. That was the opinion of a Bishop, who certainly was known for great wisdom and prudence, and his testimony amounted to this—that it was not necessary to close on the whole of the day, but all that was required was to limit the hours. The Amendment which he had to submit to the consideration of the Committee was, in effect, that on the Sunday, instead of having public-houses open until 7 o'clock in the evening, in towns other than the five excepted by the proposal of the right hon. and learned Gentleman the Attorney General for Ireland, they should be open from 2 to 5 o'clock. Everyone acquainted with Ireland knew that, before the hours were curtailed, they extended from 2 to 9 o'clock. In the small country-places, when riots or assaults occurred, it was always after nightfall, and it was found desirable to alter the hours—namely, from 2 to 7—since when a great improvement was the result. By his Amendment he asked the Committee to curtail them still further, instead of closing public-houses altogether. He believed if the hours were fixed at from 2 to 5, that would give the people the opportunity of enjoying themselves. As a magistrate, Chairman of the Town Commissioners, and member of a Board of Guardians, he had not, in the course of his experience, known drunkenness to prevail on the Sunday. Why, then, he asked, did the promoters of this Bill wish to inflict upon the people of Ireland a deprivation of the right which they at present possessed? They desired to have their glass of beer, or their glass of whiskey-and-water; and was the House going to deprive them of this enjoyment without even consulting them? That was, in effect, what the promoters of the Bill wished the House to do; because the number of real, *bonâ fide* signatures attached to Petitions from Ireland against the Bill exceeded by two to one those in favour of it. He had examined the Petitions from Cork, and had been unable to recognize any names of note. There were many, no doubt, that were respectable; there were several old unmarried ladies who had signed these Petitions; and there were names which belonged to various sections of the Church; but the great body of the people had not signed them; and he defied any hon. Member from Ireland, who had advocated this measure, to show that Petitions had been largely signed in favour of the Bill by the people of Ireland. With regard to the magistrates and the Clergy, it had been asserted that they were all in favour of it; but the fact was, that only one-fifth of them had signed Petitions in support of the measure. He made that statement without fear of contradiction. If there were a General Election to-morrow, and this question were brought before the electors in every county and every borough in Ireland, hon. Members would not receive a favourable reception from their constituents if they voted for the passing of this Bill; and that would make them regret their having taken a course which was opposed to the wishes of the Irish people. But he would appeal more particularly to English Members. As for the Scotch Members, he knew very well that no argument would have any effect upon them. He appealed to English Gentlemen, representing English constituencies, because they knew what was due to the people; he appealed to them to consider fairly and justly the question before the Committee, and not to be led away by the Sabbatarian feeling which had induced many hon. Members to vote, if not against their consciences, against their better feelings. If English Members allowed this coercive measure to pass, and to appear on the Statute Book, they would find it very hard, at the next General Election, to resist a similar Bill for closing public-houses on Sundays in England. If they were prepared to meet that demand, of course they might vote for this measure; but if they were not prepared, because they believed that such a Bill would not be accepted by the English people, then he asked them not to force it upon the people of Ireland. There could be no doubt that it was attempted to force the Bill upon them. No public meeting had been held, at which the question had been freely discussed, where there was not a Petition signed, or where there were not resolutions adopted, against this Coercion Act. Let the Committee fairly consider the position of the question. This Bill was originally brought in for the purpose of closing public-houses all over Ireland. Was that actually the Bill before the Committee at the present moment? Had they not exempted from its operation the five chief towns of Ireland? Was that consistent? Had they done that which the people had required of them, and which the Petitions called upon them to do? The hon. and learned Member for Louth (Mr. Sullivan) had boasted in the House that his Eminence, Cardinal Cullen, was an advocate of this Bill. Was he an advocate of it, as it stood now? He was not. This was proved by a statement, signed by the Archbishop of Dublin, by Cardinal Cullen, as well as by the Mayors of Dublin, Belfast, and of Cork, Sir Dominic Corrigan, the Mayor of Limerick, the Bishop of Limerick, the Bishop of Waterford and Lismore, and the ex-High Sheriff of Waterford. It was to this effect—

> "In view of the probability of the above 'Order of the Day' being reached on Wednesday next, the undersigned beg respectfully to request the attention of Honourable Members to the following 'reasons' why any proposal to exempt Dublin, Belfast, Cork, Limerick, or Waterford from the operation of the Bill should be resisted and opposed:—
>
> "(1.) Because the question of 'exemption' was expressly referred by the House of Commons to a Select Committee. This Committee, largely chosen by the Government, sat for three months, heard evidence, and decided that the Bill should apply to the 'whole' of Ireland, and that there ought to be no place excluded from its operation. (2.) Because the evil against which the proposed legislation is directed exists in its most intensified form in the large cities and towns, and to exempt these from the Bill is to deny the remedy to the very places that most require it. (3.) Because to leave the public-houses open in these large cities and towns will have a direct tendency to increase the evils already existing there, by tempting people of intemperate habits into these places from adjacent districts where the Bill is in force, thus adding rural to existing city drunkenness. (4.) Because the suggestion of riots taking place on the enforcement of Sunday closing in these cities and towns, hinted at by the Chief Secretary for Ireland, broke down before the Select Committee—not a single witness, official or otherwise, failing to ridicule any such idea. (5.) Because the public opinion of these cities and towns has been often and frequently expressed in favour of total and universal Sunday closing, by public meetings, house-to-house canvasses, petitions, and other means."

This was not the Bill in favour of which Petitions had been presented. It was not really a Bill for the closing of public-houses in Ireland, because five large towns were to be exempted from its operation; although, in those towns, the greatest amount of excess, drunkenness, and vice prevailed. Were the Government justified in making that exception? What he asked the Government to do was to be fair and just, and at least limit the hours in the way that he proposed by his Amendment. If they accepted his Amendment, and gave the people the opportunity of meeting their friends, nothing would be done in opposition to the proposal of the Government, which exempted the five large towns. The Chief Secretary for Ireland had fairly and manfully stated that he had no respect for this Bill, or, at any rate, that he did not like it. That was, no doubt, the opinion of most of the Members who sat behind the right hon. Gentleman. He (Mr. M'Carthy Downing) believed there were very few who really liked this Bill. They were influenced by feelings which he very much respected. He could understand those hon. Gentlemen, like his hon. Friends the Members for Louth (Mr. Sullivan) and for Kilkenny (Mr. B. Whitworth), who were teetotallers, and who never drank intoxicating liquors of any kind, trying to convert Members of the House to their way of thinking on this question; but he could not understand the advocacy, in favour of this Bill, of those hon. Members who went to their clubs on the Sunday and took refreshment there, or who had the best of wines and spirits in their own homes. He could not understand how such hon. Gentlemen could go into the Lobby with the promoters of this measure, and so deprive the poor working man, after abstaining for a whole working week, of the pleasure of smoking a pipe and taking his glass of grog with his friends whom he met on the Sunday. He hoped that the Government would take a right view upon this question. They had insisted upon the exemption of five towns. If he were in the position of those who supported the Bill he should refuse to accept that Amendment, and say to the Government—"No, this was a measure for closing public-houses throughout Ireland. It was upon that principle that the Bill went before the people; it was upon that principle that they signed Petitions which influenced the House in passing the second reading. Therefore, as advocates of a measure which they thought essential for the moral welfare and for the sobriety of the people, they must reject what the Government offered. They would not exempt the five towns that the Government named, and they would appeal to the country on the question." The city, where his hon. and learned Friend the Member for Louth had spent so much of his life, was the very place where the greatest amount of drunkenness prevailed. There was more crime in Dublin than in the other large towns, according to population. Dublin and Cork were to be exempted. What would be the consequence? Queenstown, with a normal population of 11,000, had besides a floating population of 1,500 or 2,000. Every Sunday in the year a number of packets arrived there from Liverpool and other places. They called at Queenstown and landed their passengers. There were vessels arriving there from all parts of the world. If all the strangers, and all the inhabitants, were to be deprived of drink on a Sunday, what would be the consequence? They would go on to Cork, and get drunk there. A rivalry would spring up between the men of Cork and the people of Queenstown; they would sit drinking together for a considerable time, and, in the end, there would be riots; so that, when the time came for the party from Queenstown to go back, a great number of them would fall into the hands of the police because they had got drunk. The same thing would probably occur with regard to Bardon, a town with 6,000 inhabitants. The people there requiring drink would go to Cork, and the two great parties—the one boasting of the Orange flag and the other of the Green—would come in contact with each other, and a riot would probably ensue. The number of shebeens would rather increase than diminish. The people would purchase whiskey on the Saturday to be drunk on the Sunday; and wives and children would be seen taking their portion of the whiskey provided. There would be contamination in every family. In making these remarks he might state that he had no interest whatever either in a brewery or in a distillery. He would rather resign the position he held as a Member of Parliament than express his approval of what he believed to be a measure that was opposed to the convictions of the people. He believed that the Bill, in its present shape, would be detrimental to the best interests of Ireland; and that, if passed in that form, it would be resented by the people. If the Government accepted the Amendment he now proposed, they would not violate any principle in regard to the Bill, and would, at the same time, he thought, satisfy all classes. He advised the Government to accept his proposal as an experiment. If the trial proved successful, his Amendment might continue to be the law; if not successful, the Government would, at any rate, be able to say that they had made a fair attempt to remedy the evil. He was sorry to see that a great many people, with whom he had been in the habit of acting, should have taken up this measure as a Party matter; but he hoped that hon. Members on both sides of the House would see that the adoption of his Amendment, which he would now move, was only fair and reasonable, and that it was only extending to all towns and villages of Ireland what had been concerned to the five towns having the largest population.

Amendment proposed,

After the word "Sunday," at the end of the last Amendment, to add the words "and except in all towns and villages, with a population of five hundred according to the last Government Census of population, and within the said towns and villages, the said hours or times are hereby extended, and shall be as follows—that is to say, up to the hour of two o'clock in the afternoon, and after the hour of five in the evening."—(*Mr. M'Carthy Downing.*)

Question proposed, "That those words be there added."

The O'CONOR DON had listened with very great pleasure to the speech that had just been delivered, inasmuch as it was in striking contrast to the speeches which he had heard on the last occasion, when the Committee was occupied in considering the Bill. It must be clear to everyone that the Amendment his hon. Friend proposed was one that touched the whole principle of the Bill. Most of his speech was directed to show that the Bill was not approved of by the Irish people; that it was a Bill that in every way would be objectionable, and one that ought not to be considered, or, at all events, that it was one that would not give satisfaction to the country. In carrying out the endeavour to subvert the whole principle of the Bill, his hon. Friend had fallen back on an argument with which they were all familiar. He had told them, as usual, that this was a purely Sabbatarian question—that the Bill had no strength outside that view. He had pictured to them the deplorable condition in which certain of his countrymen would find themselves when they came into town on Sundays, saturated with wet, and unable to obtain refreshments, and the remedy suggested by the hon. Member was that they should be allowed to saturate themselves internally. Then, it was said that the Bill was not approved by the Irish people, and how was that shown? First of all, reference was made to the enormous number of Petitions which, it was said, had been presented to Parliament against the Bill. For his part, he was surprised that the opponents of the Bill should rely so much upon this question of Petitions. They had heard a great deal about the Petitions that had been presented with regard to that Bill, and they knew that an enormous number of signatures had been paraded before them as having been attached to those Petitions. But the great majority of those signatures were without addresses, and the signatures might have been written out in a few public-houses, for no one could tell whether they were genuine or otherwise. They also knew that a certain number of those Petitions had been before the Petitions Committee, who had reported against them, and that some of them had, in consequence, been discharged. He attached very little real value to the Petitions on either side, and in arguing the question before the House, he had never based his case on the Petitions presented in favour of the Bill. The next question raised by the hon. Member was with regard to the great number of meetings which he said had been held against the Bill. It seemed to him (the O'Conor Don) that that statement was rather a flourish than anything else; for the hon. Member did not go on to tell the names of the different places in which those meetings were held, but he confined his remarks to one meeting held at a place called Mill Street in his own county. What were the facts in connection with that meeting? No doubt the hon. Member for Cork would correct him if he stated wrongly, that since that meeting had been held an action had been brought in the City of Cork against a distiller of the City by two men, who attended at that meeting, in respect of their wages in going there. The action was tried in Cork, and those men recovered their wages against the distiller. That was the sort of way in which those meetings against the Bill had been got up, and those were the persons by whom they were attended; and, therefore, the Committee would pay very little attention to these proceedings. It had been further said that no meetings had been held in the South of Ireland in favour of the Bill; and his hon. Friend went further, and said that whenever there had been a free discussion at any meeting resolutions had been carried against it. During the course of the debate they had heard many astonishing statements; but he had heard none that more astonished him than that no meetings had been held in the Province of Munster in favour of the Bill. The truth was, that not alone had meetings been held there in favour of the Bill, but even at a meeting of the opponents of the Bill, convened under the auspices of the Mayor of the City of Limerick, himself a stern opponent of the Bill, resolutions were carried in favour of it. In spite of that fact, they were told that not a single meeting had been held in the Province of Munster in favour of the Bill, and that not a single free discussion had taken place at which resolutions had not been carried against it. He begged most emphatically to deny that statement. Meetings had been held in Limerick, Waterford, Clonmel, Carrick-on-Suir, Maryborough, Wicklow, and in other places—in all, over 78 meetings had been held in Ireland in favour of the Bill. He might mention that in those he had enumerated he had not included one in the North of Ireland, because the views of the Province of Ulster were well known although they were objected to, as if they had no voice in the matter. He could show four meetings for every one given by the other side; and if the fate of the Bill depended on this test it could not be doubtful. Reference had also been made to the next General Election, and he was not going to imitate his hon. Friend in what he had said; but he would venture to express his opinion that it was an unconstitutional course to threaten Members of that House for the consequences of their acts when they came before their constituents. He apprehended that his hon. Friend did not really mean to use that as his argument; although, were it done, he could point out to him that if this question was not made a hustings question on the last General Election, there had been many bye-elections since at which it had. That question had now become understood, and a candidate's opinion was now asked at the hustings about it. In no case of the bye-elections had the opponents of the Sunday Closing Bill carried the day. Several elections had taken place in the Province of Munster, and one, an election for the County of Waterford. At that election, the question of Sunday closing was raised. He perfectly admitted that Sunday closing views would not carry a man through an election if he were otherwise objectionable; but the Gentleman he had referred to was obliged to pledge himself to Sunday closing, and had always supported the Bill since he had been elected. In no case, so far as he knew, had any man been returned in Ireland, since the question had come into prominence, who had not been a supporter of the Bill. Upon that point he would say no more, but would proceed to make some observations with respect to what had been said regarding the omission of the five towns from the operation of the Bill. The Amendment embodying that had been accepted by the promoters of the Bill; but, of course, the Committee were perfectly aware that the proposal to exempt the five towns did not come from the proposers of the measure. They introduced the Bill as one for the whole of Ireland; and it must also be quite clear, if the matter were considered for a moment, that in consenting to exempt certain portions of the country from the operation of the Bill, they consented to nothing that was inconsistent with the principles of their measure. His hon. Friend said—"Oh! but it was true the Bill was not originally proposed as one to extend to the whole of the United Kingdom." From the commencement the Bill was partial in its operation, and intended only for Ireland, and there was nothing inconsistent in having it still further restricted, and accepting the proposal of the Government for exempting certain portions of Ireland from it. It should be remembered that the Bill was promoted by private Members, and when a hostile minority were opposed to it, it would be utterly impossible for the promoters to pass the Bill without making some concessions to the minority and to the Government. They had been told, in previous Sessions, that public opinion in those large towns was divided on the necessity of the measure; they had been further assured that if the Bill were extended to those places dangerous consequences would result, and that the minority against the Bill in those large towns was considerable, and that that minority would not consent quickly or quietly to the measure. Furthermore, it had been urged that the habits of the people of those large towns were very different from those of persons in other parts of the country, and that in those places there were respectable traders and small householders who were in the habit of getting in beer at dinner times, as was usual in England. Those five towns, it was said, very much resembled the towns in England to which hon. Gentlemen opposite thought this Bill should not be applied. Therefore, it was said that this Bill ought not to be applied to the large towns; but with regard to the rest of the country, a fair case for its passing had been made out. It was proposed to the promoters of the Bill that they should accept that condition. They had accepted it reluctantly; but, nevertheless, they did accept it. Some remarks had been made by the hon. Gentleman the Member for Meath (Mr. Parnell), in which he said that he, representing a county constituency, had always supported the Bill, because his constituency wished it; but he certainly would not give it any further support if he found that the promoters were going to sacrifice the whole of the country districts of Ireland for the sake of those five towns. He urged what would be the feelings of their constituents, if they saw that their Representatives had sacrificed the good of the greater part of Ireland for the sake of those five towns. For these and other considerations, they had consented to the exemption; but that was not giving everything up. What they said with regard to it was, they had accepted it in order to give what they believed would be a blessing to the whole of the rest of Ireland; they had accepted it in the belief that the Bill would be found to be such a success in the rest of the country, that it would eventually be applied to large towns; and if it should turn out that the experiment were unsuccessful, then the case for extending the operation of the measure to the large towns would be gone; but if they were right, and the measure proved beneficial, it would be impossible to prevent its being extended.

Mr. GREENE observed, that the exemption of the five large towns of Ireland from the operation of the Bill was an illogical proceeding. Whether Sunday closing in Ireland was right or not, it was clear that the principle of the Bill was sacrificed if people were encouraged to leave their homes on Sundays and go into the large towns for the purpose of getting drunk. In his humble opinion, and he had had some experience in these matters, the safest course would be to shorten the hours during which public-houses were opened all over the country. They could not advocate entire Sunday closing without taking a Sabbatarian view of the matter. He did not say that those who took that view were not right, and that there should not be any liquor sold on Sunday. But he could not for one moment reconcile his mind to the inconsistency of exempting the five large towns from the operation of the Bill, and yet supporting the measure for the rest of the country. The Irish Members appeared to be very much divided in opinion on this subject. Some had said that Members from Ireland who voted for the measure would be marked men at another General Election, and would not be likely to be returned to that House. At the same time, it was said that if the Bill even passed for Ireland, it would also be passed subsequently for England. Those statements were difficult to reconcile; although it was known that in Ireland different views were generally taken from those held in England. His belief was that if restrictions were made severe and unyielding people rebelled, and the object failed. They could not suddenly get people to fall into the habit of severe restrictions. It would be much better to shorten the hours of closing in Ireland. He thought the prevalence of drunkenness was much exaggerated. Because two or three men were seen drunk in the streets, it was forgotten that there were probably 1,100 who were perfectly sober, it was, moreover, unjust to deprive the great majority of men of proper enjoyment of their refreshment, because an insignificant minority abused the privilege. They should take a rational view, and legislate for men as men, and not as if they were children. Did they suppose for one moment that men would be restrained from drink by any legislation they might pass? A great deal had been said about public-houses. Now, what he saw of the evil in England, it appeared to him that severe restrictions on those places encouraged men to form clubs, over which the police had no control, and where no one had any right of interference. Only the previous day a Bill had been before the House with regard to the franchise. The House was asked then to give to the same people, who it was now said had no power of self-control and must be governed like children, the right to say whether the country should be at peace or war. They did not act on the same principle for two days running. In Ireland, he thought the great evils they suffered from were agitators and priests; and until they got rid of them the people would be below par, and Ireland could never enjoy the same prosperity as the rest of the United Kingdom.

Mr. FAWCETT said, that on this question frequent appeals had been made to English Members, and, as an English Member, he did not wish to give a silent vote. It seemed to him that the Bill raised a most important question connected with the future government of the United Kingdom, and it seemed to him that its principle, once settled, would have very serious and mischievous consequences. He would not say a word on the general principle of Sunday closing. The hon. Member for Carlisle (Sir Wilfrid Lawson)—whose absence from indisposition the Committee must regret—and those who thought with him, were perfectly logical and consistent in the action which they were taking, because they were in favour of Sunday closing alike for Scotland, for England, and for Ireland. To them he had nothing to say; but he did desire to address one or two remarks to those hon. Members, and especially to responsible Ministers, who were going to vote for the principle of this Bill, and yet who would give a similar Bill for England an unhesitating opposition. He would ask them to consider how they could justify their vote. They might say that they would oppose Sunday closing for England, because of their opinion that the majority of the English people were opposed to it; and that they supported Sunday closing for Ireland, because they believed the majority of the Irish people were in favour of it; but so long as he had a seat in the Imperial Parliament—a Parliament that was the Parliament alike of England, of Scotland, and of Ireland—he would not, whether with reference to Sunday closing, to Home Rule, or to Education, vote to do that for the Irish people which he thought would be bad for the English or the Scotch people. The majority of the people of Ireland were, by their Representatives, in favour of Home Rule; and it should also be borne in mind by hon. Members opposite, and by a Conservative and Protestant Government, that a still greater majority of the people of Ireland were in favour of denominational education. If Parliament were to do for Ireland what they would not do for England, because the majority of the Irish people demanded that it should be done, on what possible ground could the demand for Home Rule or for denominational education be resisted? What answer could be made to Irish Representatives, when next they made a proposal for the settlement of a purely Irish question by the granting of a Charter to an Irish Catholic University? Such a proposal would involve no expenditure of public money, and could not be opposed on that ground. It need not involve the loss of a single shilling to the Imperial Exchequer; but such a proposal would be strenuously resisted by scores of Scotch Members and English Conservative Members. His hon. Friend the Member for Londonderry (Mr. Charles Lewis) would oppose it, and not a man on the front Ministerial bench could do otherwise than oppose it. The Members to whom he addressed himself ought, therefore, seriously to consider their position. He could not help feeling, with the hon. Member for Bury St. Edmunds (Mr. Greene), that there was some inconsistency between the attitude of those who one day came down to the House and pleaded for an extension of the franchise, on the ground that those whom they wished to enfranchise were as intelligent, as independent, and as good citizens as any in the rest of the Kingdom, and who, on the next day, exhibited the same people to the House as little better than children, who were in want of the patronizing and coddling care of the State, because they were bent on doing what they confessed they ought not to do. He had only one appeal to make to the hon. Member for Cork County (Mr. M'Carthy Downing). He (Mr. Fawcett) was going to support the hon. Member's Amendment, but on one condition, and it might be for the practical convenience of the House that the condition should be stated. He was going to vote for the Amendment, if he was not compelled to stay till an unreasonable hour in order to do so. The principle of the Bill had been again and again discussed. He had not the least sympathy with some of the tactics by which the Bill had been postponed. He was at the House at noon to attend a Committee, and at noon again he would have to be there; and though he was as anxious as the hon. Member for Cork County could be to record his vote against the principle, which many other English Members were going to support, he would tell him frankly that he could not do so if there were any foundation for the rumour he had heard that the Amendment was going to be discussed for three or four hours. The hon. Member would obtain a much better division, and would consult the convenience of the House, if he would allow a decision to be taken at a reasonable hour.

THE CHANCELLOR OF THE EXCHEQUER: I so cordially agree with the closing words of the hon. Member for Hackney (Mr. Fawcett) that I am reluctant to trespass on the time and attention of the House, even for a moment; but there were some of his observations to which I think it necessary to make a reply. He has challenged the Government to say with what consistency they can support a measure of this kind, which is intended to apply to Ireland only, when, as he says, they would oppose it if it were proposed for England, or, I think he said, for Scotland; but I must remind the hon. Gentleman that this is one of those measures which cannot be regarded from a purely Imperial point of view, and that legislation precisely of this character, or nearly of the same character, has already been for some years in force in Scotland: and I do not think it at all necessary, for justifying the course which Government take in this matter, that we should enter into such large questions as how we are to deal with the demand for Home Rule or for denominational education, with which the Bill before us has no real analogy. The hon. Member, of course, knows that, while we are anxious to assimilate legislation for all parts of the Kingdom, there are a great many subjects upon which there has been, and always must be, different legislation for different parts of the country—that legislation having reference to differing circumstances and to local considerations. This is exactly one of those measures in reference to which we have to take into account the feelings and the wishes and the circumstances of the portion of the country for which we are legislating. We have to consider that the measure is not one which can be called bad in itself. The great objection that, no doubt, would be taken to the application of such legislation to England is, that it is not suited to the circumstances of the country, and would do more harm than it could possibly do good. In itself, the limitation of the amount of drinking cannot but be considered a good and desirable object, provided it is not likely to meet with such opposition as might do more harm than the good effected; and it was not until it was pretty clear that this measure was agreeable to the feelings of those to whom it is to be applied, that the Government cared to offer it a conditional and moderate support. It is the qualification of our support that illustrates the spirit in which it is given. We say that, believing that the measure is one which in itself is well-intended, and suited to a considerable portion of Ireland, we do not think it one that can safely or properly be applied to certain large towns, and upon that ground we make our proposals in favour of legislation of a partial and local character. I think there is sufficient ground for taking that course, and that it is by no means necessary to follow the hon. Member for Hackney into the larger question which he has raised.

Mr. STACPOOLE deprecated such allusions as those made by the hon. Member for Bury St. Edmunds (Mr. Greene) to the Irish priesthood. He (Mr. Stacpoole) was a Protestant; but he must certainly say that all the priests in Ireland were in favour of law and order. He had also to say, however, that he believed the majority of the people of Ireland were against the Bill. Many of them did not properly understand it, and of those who had come to appreciate its significance, many now refused to sign Petitions in its favour. He hoped the House would postpone legislating on this subject until after a General Election.

Mr. CHARLES LEWIS reminded the hon. Member for Hackney (Mr. Fawcett) that on the questions of Home Rule and denominational education Ireland was divided into two hostile political camps, with no possibility of their agreeing; while in reference to the question involved in this Bill the case was far otherwise. Of about 70 Members representing Ireland on the Opposition side of the House, only 12 or 15 voted against the Bill. The rest who voted did so in its favour. Of about 35 Members from Ireland on the Ministerial side, not more than three or four voted against it. In Ireland large numbers of the leaders of Roman Catholics, Episcopalians, Presbyterians, and Nonconformist Bodies petitioned Parliament in its favour. To say only that a majority of the people of Ireland were in favour of the Bill was a weak and quite inadequate statement of the real fact of the case, which was that the vast majority of all parties, classes, and political or religious creeds in Ireland were in favour of the Bill. ["No, no!"] He was told by the exclamations of some hon. Members "No, no!" but he was at a loss to understand how any other or better evidence of the fact could be brought before the House than the several measures taken to exhibit the real feeling of the people. As to the Government Amendment proposing to exempt five large towns from the operation of the Bill, would those who support the Bill not have been foolish in the last degree if they had opposed a proposition which would secure the Government help in trying the experiment of Sunday closing in regard to the rest of Ireland, which they believed would result in convincing the Legislature that the grounds on which the Bill was promoted were right grounds? He thought, if the Bill was good for the villages, it was good for the cities, and he had not voted for the Government Amendment. But were they to be told that, because the force of the Government was sufficient to carry a clause exempting certain portions of Ireland from the operation of the Bill, that they should allow the Bill to be lost? In consequence of what was frequently being said as to the evidence given before the Select Committee on this Bill, he challenged hon. Members to controvert his assertion that the evidence of those witnesses who spoke to matters of fact in relation to the working of the Scotch system since the passing of the Forbes-Mackenzie Act was all in favour of that system; while among those witnesses who came from Ireland to give, as a matter of opinion, their idea as to the applicability of the system to Ireland, there was a vast difference of opinion. With the Scotch example and experience, and the admission by Parliament, in the case of Scotland, of the principle that upon this subject the Legislature was entitled to deal with the different parts of the country in different ways, he thought the legislation now requested by all classes and parties in Ireland ought to be granted. The exemption of the five towns should not be an obstacle to the passing of the Bill; because it would give supporters and opponents alike the opportunity of comparing the state of things in those towns and out of them, and testing whether the principle of Sunday closing could successfully be applied to the whole of Ireland.

Sir JOSEPH M'KENNA said, for some years he was in favour of this Bill, believing that its promoters expressed the public opinion of Ireland; but he confessed that the arguments used in a former debate by the hon. Member for Cork (Mr. Murphy), and the statistics then produced—and never since combated — had perfectly convinced him that the general impression as to the currency of opinions in Ireland in favour of this Bill was without foundation in fact. Drinking of itself could not be more objectionable or criminal on Sunday than on any other day; but Sunday being a day of rest, if the leisure then enjoyed were made bad use of for the purpose of excessive drinking, it was right that the facilities for drinking on that day should be largely curtailed. But what was proved by statistics given to the Select Committee, and never challenged? That the offences arising from drinking on Sunday, compared with those arising from drinking on other days, were as two to three. He admitted that, as far as external appearances were concerned, the Forbes-Mackenzie Act had not been a failure in Scotland. But he denied that it had been a success in the way of effecting a reform of the drinking habits of the Scotch people. The alcoholic liquors now consumed in Scotland greatly exceeded in quantity per head of the population their consumption before the passing of the Forbes-Mackenzie Act. He respected the honourable consistency with which Sabbatarians and teetotallers supported the Bill; but he wished to take that view of this subject which presented itself to the ordinary man of the world, and to investigate the subject uninfluenced by their principles. The case which it was attempted to make out was, that the Irish people had abused their facilities for drinking on Sunday, and that it was absolutely necessary that these facilities should be curtailed. He could not see how that contention could be maintained side by side with a proposal to except populations numbering five-eighths of the whole borough population of Ireland. The Bill, as it now stood, raised the question of the different treatment of one town and another. Was it not monstrous to propose that those who might go from Cork on a Sunday to enjoy themselves in the country should not be able to procure their accustomed recreation and refreshment, while those who went from more wholesome localities into the slums of Cork could get what they chose to drink? He opposed the Bill, and would vote for the Amendment of his hon. Friend (Mr. M'Carthy Downing), not only because he thought the measure ill-considered, but because he considered that, in its new form, it would be unfair and partial in its operation.

MR. KING-HARMAN hoped the Bill would be made a temporary measure, since if there were ground for believing that it would be extremely unsuitable for the large towns excepted from its full operation, it might also be found extremely unsuitable for the whole country. He would therefore like to know from the promoters of the Bill, whether they would be prepared to accept his Amendment limiting the operation of the measure to a period of two or three years, in order to test its usefulness?

MR. O'CONNOR POWER expressed his intention of being brief in the remarks he had to make, although the opponents of the Bill had not supplied a motive for that brevity by their example. The hon. Member for Bury St. Edmunds (Mr. Greene) appeared to have been so impressed with an argument which he had adduced on a previous occasion that he had repeated it that evening, and he had so repeated it as to win the approval of the hon. Member for Hackney (Mr. Fawcett). But he would ask—what was that argument worth? The hon. Gentleman who represented Bury St. Edmunds said—"You are asking the franchise for people whom you will not intrust with the liberty of taking a glass of beer on Sunday." The answer to that statement was that, if the majority of the Irish Members were in favour of a Sunday Closing Bill, they were also in favour of a Permissive Bill. Had a Bill of the latter description been carried, the Irish people would have settled this question without asking the House of Commons to decide the matter by a Sunday closing measure; for he had no doubt that, in the large majority of districts, the preponderance of opinion on the part of the ratepayers would have been found on the side of shutting up the public-houses. The hon. Member to whom he referred had also said—"Get rid of your priests, and you will solve the difficulty." He must tell the hon. Member that the only body of men in Ireland who had been able to exert sufficient power to close the public-houses without the aid of the law were the very priests whom he called upon them to get rid of, in order that they might promote the cause of temperance. The hon. Member had no right to introduce an element, not of religious feeling, but of religious bigotry, into a question of this kind. If that were an improper thing to do in relation to most questions, it was a most improper thing to do in connection with a body of men who had, as he had already indicated, exerted their influence successfully in favour of the cause of temperance. The hon. Member for Hackney had spoken of the inconvenience which would result from the Government supporting this measure. He (Mr. O'Connor Power) looked at it from a moral standpoint; and he believed that the mistake which the hon. Member made was in thinking that whatever happened to be the wish of the Irish people must therefore be opposed to the integrity of the Empire—the mistake of elevating what were purely local Irish questions into the dignity of Imperial questions, and of saying, in effect, from an unfounded fear of the result of conceding the wishes of the Irish people—"We cannot do this; if the Irish wish it, it must be opposed to our own desires and interests," was one into which many hon. Members seemed not unfrequently inclined to fall. He regretted that the hon. Member was not now in his place. Had he been present, he would have taken the opportunity of assuring him that if he were interested in the integrity of Empire, the best way to preserve that integrity was to concede every local wish in regard to local affairs in Scotland, local affairs in England, and local affairs in Ireland. If, on the other hand, the hon. Member desired to stimulate the disaffection of the Irish people towards Imperialism, he should endeavour to thwart their local and natural wishes, and should use his influence in the House in opposing the views which had been endorsed by a majority of their Representatives. The hon. Gentleman the Member for the County of Cork (Mr. M'Carthy Downing) had threatened the supporters of the Bill with the prospect of not being returned to the next Parliament if they continued to advocate the measure. The answer which he had to make to that threat was that the principle of the Bill appealed to the moral sense of the Irish people, and that in such a case he had no fear of the result. He had seen great politicians and strong parties frightened by appeals of a different character—appeals coming from great and powerful organizations. Those for whom he spoke did not regard such appeals in Ireland. They appealed to the moral feeling which had sustained this agitation through many vicissitudes; and they would return from Ireland to advocate the same principles when, perhaps, the hon. Member for Cork County was left weeping alone by his own fireside.

Mr. STORER thought that the great end to be attained was a limitation of the hours during which public-houses were open in Ireland on Sunday, and he believed that the Amendment of the Government would effect that result. He desired to point out how very futile was the argument which was derived from the case of Scotland and the frequent allusions that had been made to the Forbes-Mackenzie Act. It had been said that since the passing of that measure the consumption of ardent spirits in the country where it was in operation had not increased; but the statement was entirely erroneous. The fact was, that of late years whiskey-drinking had increased to a great extent in Scotland. Not only so, but the only country in which it had increased was the very country that had been spoken of as being the land of Sunday piety and Sunday closing. The Returns of the Revenue Department clearly proved this to be the fact. They showed, that during 1877, whiskey-drinking in Scotland had materially increased; whereas in England and Ireland it had materially decreased.

Mr. MACARTNEY said, he had listened attentively to the speech of the hon. Member for Cork County, and, so far from looking upon that speech as an argument against the Bill, he regarded it as a strong argument in favour of the measure. In the course of his remarks, the hon. Member had produced a certain document by way of illustration; but what was the nature of that document? It was a document signed by some of the most eminent men in the country, not in opposition to the Bill, but expressive of their regret that it had been abandoned so far as the large towns were concerned.

Question put.

The Committee *divided:*—Ayes 92; Noes 134: Majority 42.

Mr. O'Connor Power

AYES.

Adam, rt. hon. W. P.
Allen, Major
Allsopp, C.
Amory, Sir J. H.
Arbuthnot, Lt.-Col. G.
Barttelot, Sir W. B.
Bass, H. A.
Bates, E.
Beresford, Lord C.
Bowen, J. B.
Brooks, M.
Brooks, W. C.
Bulwer, J. R.
Cameron, D.
Cartwright, F.
Clowes, S. W.
Colebrooke, Sir T. E.
Dyott, Colonel R.
Eaton, H. W.
Egerton, hon. W.
Elliot, G. W.
Emlyn, Viscount
Errington, G.
Estcourt, G. S.
Fawcett, H.
Forester, C. T. W.
French, hon. C.
Gardner, J. T. Agg-
Giffard, Sir H. S.
Gordon, W.
Gore-Langton, W. S.
Greene, E.
Hall, A. W.
Hamilton, Lord C. J.
Hartington, Marq. of
Heath, R.
Hick, J.
Hildyard, T. B. T.
Holford, J. P. G.
Jolliffe, hon. S.
Knowles, T.
Learmonth, A.
Lee, Major V.
Legard, Sir C.
Lindsay, Colonel R. L.
Macdonald, A.
M'Kenna, Sir J. N.
Makins, Colonel
Marten, A. G.
Master, T. W. C.
Mellor, T. W.
Merewether, C. G.
Miles, P. J. W.
Mills, Sir C. H.
Moore, S.
Morgan, hon. F.
Muncaster, Lord
Mure, Colonel
Naghten, Lt.-Col.
Newdegate, C. N.
Noel, rt. hon. G. J.
O'Brien, Sir P.
O'Gorman, P.
Onslow, D.
O'Sullivan, W. H.
Paget, R. H.
Pell, A.
Pemberton, E. L.
Percy, Earl
Perkins, Sir F.
Power, R.
Ridley, Sir M. W.
Russell, Sir C.
Scott, M. D.
Shaw, W.
Sidebottom, T. H.
Smyth, P. J.
Spinks, Mr. Serjeant
Stacpoole, W.
Stanhope, W. T. W. S.
Starkey, L. R.
Storer, G.
Swanston, A.
Sykes, C.
Taylor, P. A.
Tennant, R.
Thornhill, T.
Thynne, Lord H. F.
Warburton, P. E.
Wheelhouse, W. S. J.
Wilmot, Sir H.
Winn, R.

TELLERS.

Downing, M'C.
Murphy, N. D.

NOES.

Agnew, R. V.
Ashley, hon. E. M.
Backhouse, E.
Baring, T. C.
Barran, J.
Beach, rt. hn. Sir M. H.
Beaumont, Colonel F.
Bell, I. L.
Biggar, J. G.
Birley, H.
Blake, T.
Brady, J.
Brassey, T.
Briggs, W. E.
Brise, Colonel R.
Brown, A. H.
Bruen, H.
Cameron, C.
Campbell-Bannerman, H.
Chadwick, D.
Cholmeley, Sir H.
Clarke, J. C.
Close, M. C.
Cole, Col. hon. H. A.
Cole, H. T.
Colman, J. J.
Corbett, J.
Corry, hon. H. W. L.
Courtney, L. H.
Cowper, hon. H. F.
Crichton, Viscount
Dalkeith, Earl of
Delahunty, J.
Dillwyn, L. L.
Dodds, J.
Douglas, Sir G.
Duff, M. E. G.
Dunbar, J.
Dundas, J. C.

Edmonstone, Admiral Sir W.
Egerton, Adm. hon. F.
Ennis, N.
Evans, T. W.
Ferguson, R.
Finch, G. H.
Fletcher, I.
Floyer, J.
Forster, Sir C.
Gibson, rt. hon. E.
Gladstone, rt. hon. W. E.
Gladstone, W. H.
Gordon, Sir A.
Gordon, Lord D.
Goschen, rt. hon. G. J.
Goulding, W.
Gourley, E. T.
Gower, hon. E. F. L.
Grant, A.
Hamilton, I. T.
Hamilton, Marquess of
Hamilton, hon. R. B.
Hanbury, R. W.
Harrison, C.
Harrison, J. F.
Havelock, Sir H.
Hayter, A. D.
Henry, M.
Herbert, H. A.
Herschell, F.
Hibbert, J. T.
Holland, Sir H. T.
Holms, J.
Howard, E. S.
Hughes, W. B.
Jenkins, D. J.
Kavanagh, A. MacM.
Kay-Shuttleworth, Sir U.
Kennaway, Sir J. H.
Kensington, Lord
King-Harman, E. R.
Leslie, Sir J.
Lewis, C. E.
Lewis, O.
Lewisham, Viscount
Lloyd, M.
Lloyd, T. E.
Macartney, J. W. E.
Mackintosh, C. F.
Martin, P.
Meldon, C. H.
Middleton, Sir A. E.
Montgomery, Sir G. G.
Moore, A.
Moray, Col. H. D.
Morley, S.
Noel, E.
Northcote, rt. hon. Sir S. H.
O'Beirne, Major
O'Byrne, W. R.
O'Clery, K.
O'Conor, D. M.
Palmer, C. M.
Parker, C. S.
Pease, J. W.
Playfair, rt. hon. L.
Power, J. O'C.
Price, W. E.
Puleston, J. H.
Ralli, P.
Rathbone, W.
Reed, E. J.
Russell, Lord A.
Samuelson, H.
Severne, J. E.
Sheil, E.
Shirley, S. E.
Smith, A.
Stanton, A. J.
Stewart, J.
Stewart, M. J.
Sullivan, A. M.
Taylor, D.
Taylor, rt. hon. Col.
Tracy, hon. F. S. A. Hanbury-
Vivian, A. P.
Vivian, H. H.
Waddy, S. D.
Walter, J.
Ward, M. F.
Waterlow, Sir S. H.
Whitworth, B.
Wilson, C.
Yeaman, J.
Young, A. W.

TELLERS.
O'Conor Don, The
Smyth, R.

On Question, "That the Clause, as amended, stand part of the Bill?"

Major O'GORMAN said, he must express a hope that the spirit of compromise was now at an end.

Clause, as amended, *agreed to.*

Clause 2 (Travellers' exemption orders) *struck out.*

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Joseph M'Kenna.*)

The O'CONOR DON said, he had no objection to that being done.

The Marquess of HARTINGTON said, he had no wish to detain the Committee; but he desired to be allowed to make a brief personal explanation. An accident had occurred to him that evening which, he believed, had sometimes happened to other hon. Members. He had gone into a different Lobby from that which he intended, and had voted for the Amendment of the hon. Member for Cork County when he had intended to vote against it. It was with great surprise that he had found himself, when too late, in the wrong Lobby.

Mr. RICHARD SMYTH believed that the hon. and gallant Member for Renfrewshire (Colonel Mure) had made precisely a similar mistake.

Motion *agreed to.*

Committee report Progress; to sit again upon *Monday* next.

ACKNOWLEDGMENT OF DEEDS BY MARRIED WOMEN (IRELAND) BILL.

(*Mr. Meldon, Mr. O'Shaughnessy.*)

[BILL 173.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Meldon.*)

Mr. O'CONNOR POWER moved, as an Amendment, the adjournment of the debate, and appealed to his hon. and learned Friend (Mr. Meldon) not to press the matter upon the present occasion. The Bill had arrived at this stage without having attracted much attention on the part of Irish Members; and, unfortunately, as he was advised, it was a measure which affected a case that was now *sub judice.* At all events, he again appealed to his hon. and learned Friend to give him some further time in order to examine into the effects of its provisions.

Mr. BIGGAR seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. O'Connor Power.*)

Sir JOSEPH M'KENNA said, the Bill was simply a declaratory enactment, assimilating the law of Ireland to that of England in certain important legal particulars.

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) hoped that no opposition would be offered to the passing of this simple measure. The object of the Bill was to enable the Courts to do a simple act of justice, and to put parties under such terms with regard to costs as they might think proper. The law had been amended in England under precisely the same conditions a few years ago; and the present Bill simply gave to the Irish Courts the discretion which was already enjoyed in England.

MR. DODDS hoped the Bill would be allowed to pass.

MR. MELDON was afraid that if the measure were not passed, the effect might be to unsettle hundreds of settlements of sales.

Question put.

The House *divided:*—Aye 1; Noes 79: Majority 78.—(Div. List, No. 137.)

MR. BIGGAR moved the adjournment of the House. He did so because——

MR. SPEAKER, interposing, pointed out to the hon. Member that, having seconded the Amendment for the adjournment of the debate, he had exhausted his right to speak.

MR. MELDON moved, in Clause 5, line 4, after the word "the," to insert the words, "Common Pleas Division of the."

Question proposed, "That those words be there inserted."

MR. O'CONNOR POWER said, he did not desire to put himself in opposition to an overwhelming majority of the House; but, really, he did not understand why there should be all this hurry in regard to the Bill. He asked once more that some further time should be allowed for its consideration.

MR. SPEAKER said, the hon. Member must confine his observations to the Motion immediately before the House.

MR. O'CONNOR POWER had only further to say, that he felt himself reluctantly bound to exhaust all the Forms of the House in opposing the Bill.

MAJOR O'GORMAN desired to state that in the last division he had voted in error, and had gone into the wrong Lobby. He was very much in favour of married women possessing their own property.

The Attorney General for Ireland

Question put.

The House *divided:*—Ayes 77; Noes none.—(Div. List, No. 138.)

Motion made, and Question put, "That the Bill be now read the third time."

The House *divided:*—Ayes 77; Noes none.—(Div. List, No. 139.)

Bill *passed.*

UNDER SECRETARIES OF STATE BILL.

On Motion of Mr. Secretary CROSS, Bill further amending the Law relating to Under Secretaries of State sitting in the House of Commons, *ordered* to be brought in by Mr. Secretary CROSS and The LORD ADVOCATE.

Bill *presented,* and read the first time. [Bill 181.]

LORD CLERK REGISTER (SCOTLAND) BILL.

On Motion of Mr. Secretary CROSS, Bill to make provision in regard to the Office of Lord Clerk Register in Scotland; and for other purposes, *ordered* to be brought in by Mr. Secretary CROSS and The LORD ADVOCATE.

Bill *presented,* and read the first time. [Bill 182.]

House adjourned at a quarter after
Two o'clock.

HOUSE OF LORDS,

Friday, 17*th May,* 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Acknowledgment of Deeds by Married Women (Ireland) * (87).

Second Reading — Adulteration of Seeds Act (1869) Amendment * (79).

Committee—Report—Customs and Inland Revenue *.

Third Reading — Matrimonial Causes Acts Amendment (60), and *passed.*

NOXIOUS VAPOURS COMMISSION—THE REPORT.—QUESTION.

LORD WINMARLEIGH asked the noble Lord the Chairman of the Commission appointed the year before last to inquire into the operation of the Noxious Vapours Act, when it was likely the Commission would report? The subject into which the Commission had been inquiring was one of great interest to his county and other parts of the country.

LORD ABERDARE said, he regretted the delay that had occurred. The Commission had taken a great deal of evidence in various parts of the country. He had been so occupied with other duties and cares, that he had not been able to give as much time as he could have wished to the preparation of the Report; but no time would now be lost in preparing it and presenting it to Parliament.

CONTAGIOUS DISEASES (ANIMALS) BILL.—OBSERVATIONS.

THE DUKE OF SOMERSET said, that the Amendments in this Bill proposed to be moved in Committee by the Lord President occupied six pages of the Notice Paper. It was true that a number of those Amendments were merely verbal; but he thought it would be well to reprint the Bill, and give their Lordships time to look into them before the House was called upon to go into Committee on the Bill.

THE DUKE OF RICHMOND AND GORDON said, that, while anxious to have the Bill sent down to the other House in good time, he was also desirous of consulting the convenience of the noble Duke and the rest of their Lordships. He would postpone the Committee from Tuesday to Thursday if that would suit the noble Duke, and, in the meantime, would have printed Amendments relating to the Irish part of the case. Most of the Amendments already printed were merely verbal.

THE EARL OF REDESDALE suggested that their Lordships should go into Committee *pro formâ* on Tuesday, in order that the Bill, with Amendments, might be reprinted by Thursday.

THE DUKE OF RICHMOND AND GORDON said, he would adopt that arrangement if it would meet the views of the noble Duke.

THE DUKE OF SOMERSET said, he was satisfied with that arrangement.

THE MARQUESS OF RIPON asked, whether, before Thursday, his noble Friend the Lord President would be able to produce the Correspondence with foreign countries on the subject of the Bill.

THE DUKE OF RICHMOND AND GORDON said, there would be no unnecessary delay in producing the Correspondence, but there had been very little time to obtain the consent of the foreign Governments since the request for its production was made by his noble Friend.

MATRIMONIAL CAUSES ACTS AMENDMENT BILL—(No. 60.)

(*The Lord Sudeley.*)

THIRD READING. BILL PASSED.

Bill read 3ª (according to Order) with the Amendments.

LORD PENZANCE said, he had given notice of an Amendment to meet the views of those who thought there was some objection to the mode in which, by his clause, it was proposed to recover maintenance money from husbands against whom magistrates pronounced judicial separation in consequence of their having assaulted their wives.

Amendment *moved*, in Clause 4, line 3, leave out from ("the board") to ("conviction") in line 5, both inclusive, and insert ("his wife"); line 7, leave out from ("the support") to ("her") in line 14, both inclusive, and insert—

("Her support, and the payment of any sum of money so ordered shall be enforcible and enforced against the husband in the same manner as the payment of money is enforced under an order of affiliation.")—(*The Lord Penzance.*)

THE EARL OF KIMBERLEY said, that the Amendment proposed by his noble and learned Friend was a great improvement, and met the difficulty which he pointed out when his noble and learned Friend introduced the clause.

Amendment *agreed to;* further Amendments made.

Bill *passed*, and sent to the Commons.

CHURCH OF ENGLAND — THE PREACHERS IN ST. PAUL'S.

QUESTION. OBSERVATIONS.

THE EARL OF HARROWBY inquired, Whether it was the fact that the Reverend Mr. Edwards, Vicar of Prestbury, who has been suspended from his ministrations by the Provincial Court of Canterbury, has been selected to preach in the Metropolitan Church of St. Paul's, London; and, if so, by whom so selected? It had been stated, in plain words, that a certain gentleman notorious for his contempt of the law of this country had been invited to preach in the Metropolitan Church of St. Paul's. At the present time, that gentleman refused to acknowledge the jurisdiction of the highest Tribunal of the Church in the Province of Canterbury, and was under suspension for contumacy. Whatever might be the difficulty of getting certain gentlemen to submit to the judgment of the legally constituted authorities, it did seem strange that a clergyman under sentence for contumacy by the highest Tribunal in the Church should be selected to preach in the Cathedral of the Metropolis. Surely, the Church was not reduced so low, as to be obliged to invite such clergymen to preach in the cathedrals? Whether or not it was a fact that Mr. Edwards had been selected to preach at St. Paul's, he could not say. The statement had been circulated in the newspapers for some days, and, as he believed that St. Paul's was under the control of the Dean and Chapter, who enjoyed their high position by the laws of this country, he thought it strange they should have selected to preach in the Church under their charge a clergyman who had earnt his distinction by wilfully breaking and setting at nought those laws. Therefore, he thought it right to ask the right rev. Prelate, who presided over the Diocese of London, whether there was any truth in the report?

The Bishop of LONDON said, he would give their Lordships the best explanation he could; but it must be borne in mind that it was only that morning that he saw the notice of this Question in the newspapers. In the middle of the day he received a note from the noble Earl; but it was quite impossible since to make such inquiries as to give him a definite answer. The appointment of preachers in St. Paul's stood thus. The morning preachers were appointed by the Bishop, and the afternoon preachers were the Canons in residence, who took the duty in turn. The evening preaching was a comparatively late institution. It commenced 11 or 12 years ago. For a few years, evening sermons were preached only in the first three months of the year. The preachers for those three months were appointed by the Bishop; but the evening preachers for the nine other months were now appointed by the Canons on some arrangement among themselves. The appointment was supposed theoretically to be made by the whole Chapter. As soon as he saw in the newspapers the announcement referred to by the noble Earl, he wrote to Canon Lightfoot, the Canon in residence, to know if there was any truth in the statement? In reply, he stated that he had no knowledge at all of such a selection, nor could he obtain any information on the subject from any other member of the Chapter. Canon Lightfoot added, that neither the Dean nor Canon Gregory was at home. Since the receipt of Canon Lightfoot's letter he had seen Bishop Claughton, the Archdeacon of London, and the Archdeacon had stated to him that neither he nor Canon Gregory knew anything about the matter, and that the Dean and Canon Liddon were absent. The letter of Canon Lightfoot went on to say that he had heard the rumour a few days ago, but attached no importance to it, and that a large proportion of the rumours relating to St. Paul's were without foundation. He could assure their Lordships that if he took the trouble of contradicting the rumours which he saw in the newspapers respecting himself, he would have very little time left for the work of his Diocese.

House adjourned at half past Five o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 17*th* *May*, 1878.

MINUTES.] — Private Bill (*by Order*) — Waterford, Dungarvan, and Lismore Railway (Extension), 2°.

The House met at Two of the clock.

PRIVATE BUSINESS.

—o—

WATERFORD, DUNGARVAN, AND LISMORE RAILWAY (EXTENSION) BILL.

[*Lords.*] (*By Order.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. DELAHUNTY, in rising to move that the Bill be read a second time that day six months, said, the Bill related to a railway in the county of Waterford—a county bounded on the south by the sea, and on the north by the Commeragh and Knockmealdown chain of mountains. Attempts had been made, over and over again, to get this railway constructed, but all of them had failed, for the traffic was not looked upon as sufficient to invite private speculators to invest their capital. After the abandonment, in 1871, of an Act which had previously been obtained by a private Company, the local solicitor and engineer of the line which was abandoned got up a subscription of a few hundred pounds from certain individuals in Waterford, and lodged a Bill for consideration in the Session of 1872, which asked, among other things, for a guarantee from four out of the eight baronies in the county of 5 per cent for 20 years on £280,000 required to construct the line. A meeting of the ratepayers of the baronies was called in 1872, and at that meeting a committee was appointed to draw up a resolution for the general meeting outside. He (Mr. Delahunty) happened to be a member of that committee, which also included Lord Waterford, Sir Robert Paul, Mr. Carew, the Hon. Mr. Stuart, Mr. Power, and Mr. Edward Roberts — making seven altogether. At the meeting, Lord Waterford and others said, at once, that they would give no guarantee; and in the discussion which took place, the opinion was adopted that it would be well if the ratepayers themselves would supply the whole of the capital for making the line by pledging the rates of the eight baronies, and also the rates of the city, for a certain period, and raising a sufficient sum to cover both interest and sinking fund, so as to give the county and city the sole property in the railway at the end of 35 years. At that meeting the solicitor of the promoters of the Bill was present, and he suggested that the Bill then before Parliament should be adopted in the same light as a Parliamentary dummy Bill, for the purpose of avoiding the expense that was always incurred in lodging plans for a new measure. The committee agreed with that suggestion, and that the Bill, although at that time considered as merely so much waste paper, should be adopted in that way, as a step towards getting a new Bill in the subsequent Session, in which the wishes of the ratepayers might be inserted and carried out. He could, if necessary, refer to the speeches which were made on the occasion, and particularly his own, to show what the intention at that time was with regard to the Bill. Undoubtedly, there was no intention of giving a guarantee for 20 years. That was distinctly refused; but the conclusion arrived at was to provide 5 per cent on an estimated capital of £280,000 for a period of five years, during the construction of the line, and for 35 years after the opening of the railway for traffic by charging the rates with 3½ per cent upon the capital, which was expected to be got from the Board of Works, and 1½ per cent for a sinking fund. That being so, it was estimated that these two payments of 3½ per cent and 1½ per cent would enable the county and city to acquire the entire property of the railway at the end of 35 years. It was not necessary that he should state all that was said at the meeting. He had brought the newspaper reports with him, and he might read the views expressed as to the intentions of the meeting, if the House thought necessary. The dummy Bill was assented to, and in August, 1872, a meeting of the ratepayers was held, at which both the county and the city agreed in effect to ratify the proceedings of the former meeting. Resolutions were, therefore, passed, one of which he would read, authorizing the construction of the railway, and making provision for raising the necessary capital. Not only were the four baronies of the county included in the liability of the original Bill, but the other four baronies and the city of Waterford were combined with them in carrying into effect the same object. The resolution would show exactly what was understood to be the nature of the liability. It was as follows:—

"That, inasmuch as the ratepayers of the county and city of Waterford are to guarantee the payment of interest on the whole capital required for the construction of the Waterford, Dungarvan, and Lismore Railway, whether advanced by the Public Works Loan Commissioners or otherwise, it should be enacted, that the directors thereof be appointed and elected by the Grand Juries of the county and city in the proportion of eight for the county and four for the city, and that such directors, as trustees of the ratepayers, have and enjoy full powers to construct and manage such railway."

Nothing could be more explicit than that resolution, and no contrary resolution of ratepayers ever passed in regard to this railway. But the professional gentlemen to whom he had already referred, who assisted in getting up the meeting, and had the confidence of the directors, in place of carrying out the wishes of the ratepayers for the construction of the railway as a county and city railway, omitted altogether in the Parliamentary Notice published in November, 1872, any provision to authorize the ratepayer ownership and control, but merely conferred a subsidy—if it might so be called—of £14,000 a-year for 40 years to the parties who were the original promoters of the line, and leaving the county out altogether. It was not until 1873 that the ratepayers found out how they were being treated, and that this fraud, if he might call it so, perpetrated upon them. They petitioned Parliament, but it happened that they were too late, the Bill having passed the Commons, and the time for petitioning in the Lords having expired. Even at the eleventh hour the justice of their case was so strong and so apparent, that they succeeded in getting inserted a Proviso in the 10th clause of the Bill, by which the Grand Juries of the county and city at the next ensuing Assizes were authorized to appoint directors in the manner proposed by the resolution previously passed by the ratepayers. When that power was conferred upon the Grand Juries the city Grand Jury acted upon it, and appointed their four directors. The county Grand Jury, influenced by the promoters, however, did not appoint their number, and the consequence was, that the intentions of Parliament were frustrated. He held in his hand a letter, written at the time by Messrs. Holmes and Co., Parliamentary agents, who acted for the Petitioners, and it showed exactly what occurred in regard to the Proviso inserted in the Bill. The letter was as follows:—

"7th July, 1873.

"DEAR SIR,—I have duly received from you *The Waterford News* of the 4th inst., containing a letter from Mr. Edmond Power, dated the 1st of July, 1873. [Mr. Edmond Power was solicitor to the Company.] As regards the paragraph in that letter referring to the presentation of the Petition, Mr. Power's statement is entirely erroneous. In the first place, you were not present, although he has stated that you were. Secondly, the object of the meeting with Lord Redesdale, referred to, was for the purpose of asking his Lordship to suspend the Standing Orders, so as to enable the ratepayers to present a Petition against the Bill, and to appear by counsel before a Select Committee of the House. On his Lordship being informed that the Bill had passed through the Commons unopposed, and was to come before his Lordship in Committee in a day or so after, as an unopposed Bill, he very properly, without hearing any argument on the subject, declined to suspend the Standing Order, but informed the promoters, who were represented by their Parliamentary agent, that he would require strict proof of the Preamble. When the Committee met, his Lordship heard your statement, and supported the correctness of it by declining to pass the Bill as it stood. He required the promoters to alter the 10th clause, so as to deal with the Bill in conformity with the resolutions passed by the ratepayers, which was all that you required."

The Bill was then amended by Lord Redesdale, although there was no Parliamentary Notice given of any such Amendment, and the Bill went down to the Grand Juries in that shape. The provision was that the Grand Juries at the coming Assizes should appoint all the directors — eight by the county Grand Jury, and four by the city Grand Jury. The city and Grand Jury, as he had already stated, appointed their four; but the county, influenced by the directors of the Company, of whom there were several on the Grand Jury, refused to carry out the law; and the consequence was that the ratepayers found themselves bound to pay the whole price of the railway—£14,000 a-year for 40 years—without having any ownership or control whatever over the concern. It was a scandal that such a thing should have occurred, or that the ratepayers should be mulcted to such an extent by persons acting without their consent and against their wishes. He thought that the ratepayers of the county and city of Waterford, having thus been robbed and plundered, had a right to be heard. It was a scandal and disgrace to find that such a thing could have occurred without a remedy. If a private individual paid the interest upon the purchase money of an estate and provided a sinking fund to pay off the capital, and then an attorney, who had acted for him, stepped in and made the property his own, surely a Court of Equity would make such person give up the property so acquired. The county of Waterford had paid for this railway, and yet they found themselves without ownership or control. The Bill now before the House was a new Bill brought forward to give further powers to the Company, so that they might dip their hands still further into the pockets of the ratepayers. The ratepayers were almost to a man against it, and thousands of signatures could be obtained to a Petition against the Bill. He would read two letters which he had received from two of the principal landowners of the county. One was from Mr. More Smyth, of Ballinatray, who was very well known all over Ireland. Mr. Smyth wrote—

"Sir,—I have just seen and read your Circular about the Waterford, Dungarvan, and Lismore Railway, which I most heartily approve of.

[That was a Circular which he (Mr. Delahunty) had sent to every elector of the county. A meeting was held in the county, at which the gentleman who wrote the next letter he intended to read acted as chairman, and the meeting was unanimous in passing votes of approval, support, and co-operation with him and those who desired to restrain this attempt at the perpetration of further wrong.]

I was on the Grand Jury of the county when this Bill was first introduced. It is as different now as day is from night. I regret much that my time is limited, and that I cannot more fully enter into the matter; but, perhaps, I may have an opportunity of doing so some other time. In the meantime, I will set the wires going, and get as many signatures as possible from the ratepayers. Wishing you every success in your efforts to relieve the ratepayers from an act of injustice and from the burden of ruinous taxation which has been thrust upon them,—I have the honour to be, &c.

(Signed) C. U. More Smyth."

The second letter was from a gentleman—well known as a large landed proprietor in the county—Mr. R. Maxwell Gumbleton. He wrote—

"March 27th, 1878.

"Dear Mr. Delahunty,—Thanks for your letter just received. I beg to say that it is out of my power to leave home just now, or I would have much pleasure in assisting in letting the Parliament know the feeling of the Waterford ratepayers concerning the guaranteed railway. Any way, you have done your duty like a man, and you may be sure all the landholders, and many of the landowners, feel grateful to you for the trouble you have taken in trying to stop more taxation being put on the people, who can hardly hold their heads over water.—Yours sincerely, &c.

R. M. Gumbleton."

In 1873, the Press of Waterford all commented upon what occurred. He mentioned the fact, because it had been said that the ratepayers never wanted to have this railway. He would read one short paragraph from one of the papers of that day to show that such was not the case. It was as follows:—

"Nothing could be more gratifying than the fact—novel in this country—that the new railway will be the property, not of speculators (which it was now), but of the people who will find the money for it—namely, the ratepayers both of the city and county—to be used for their own benefit. It will be made by a loan from Government, to be repaid, both principal and interest, in 35 years."

That showed what the general feeling was as to the real intention of the ratepayers. It was fully in accordance with the statements made in the speeches, and showed the construction placed upon such statements by the newspapers. He had read this extract, because he regarded it as short, conclusive, and entirely to the point. It showed at once what was intended. Matters, however, had been so manipulated since, that the people of Waterford now found themselves in the position of having to pay a subsidy, equal, according to population, to that of the French after the German War. Nevertheless, this Company comes before Parliament, asking for further powers to enable them to mulct the people. Parliament fully intended that the ratepayers should have the control of this railway. The Proviso inserted in the Bill, and which was inserted upon the Petition of the ratepayers, was to the effect that the Grand Juries at the Assizes of 1873 should appoint the directors. Unfortunately, it was left optional with them. It was said at the time that it ought to be compulsory; but, unfortunately, the ratepayers had confidence in the Grand Juries that they would do what was right. He saw now that they ought to have made the exercise of the power compulsory; but, unfortunately, they did not, and the result was that the county was sold. The present Bill proposed to raise additional capital, and it said that the new capital was not to be charged upon the ratepayers. Supposing this were really the fact, the Company took powers in the Bill for making working traffic and running arrangements with other Companies, which they could exercise independent of all control by the ratepayers. They would virtually be allowed to do what they pleased, and they could enter into arrangements with other Railway Companies, particularly with a line belonging to the Duke of Devonshire, between Lismore and Fermoy, by which they would be able to sweep away any receipts that ought to go to the relief of the liabilities of the ratepayers, and give the benefit of them to the other lines. In effect, this Bill would hang an additional millstone round the neck of the ratepayers, and any railway man must know that a Railway Board could enter into arrangements with another Company, so that they could lose up to 75 per cent of the expenses incurred in the working of the line. He had himself been Chairman of a Company, which made an arrangement with another Company, by which that Company worked the line at a price which ensured a loss of near 75 per cent on the working. He was in a position to prove the truth of this statement, and in this particular case they were dealing with parties who had an interest in doing what was right. In the case he was acquainted with, the Company paid for their shares without a guarantee; but here was a Company whose dividends were paid by the ratepayers, and who had no interest in keeping down the working expenses. In fact, during the whole time of the construction of the line, the county had paid 5 per cent on all the money raised. They were paying £14,000 a-year now, although the line was not opened; and yet the Company, who had paid nothing towards their dividends, were coming to Parliament and seeking for further powers to enable them to enter into arrangements with some such line as the Fermoy and Lismore Railway, which, now paying nothing to its owners, would, under these arrangements, be sure to increase the working expenses of the guaranteed line, and prevent for ever any hope of lessening liabilities or repaying advances. All he would say, further, was that a contract had been deliberately entered into, which contract had not been fulfilled. Parliament had itself stepped in for the purpose of securing something like the performance of the contract; but from circumstances, over which the ratepayers had no control, unfortunately, the intentions of Parliament had been frustrated and violated. He thought that, under these circumstances, the House of Commons ought not to allow any further powers to be granted to this Company until they had restored the ratepayers to a proper control over the line. That was one position that he took up. Another was, that the ratepayers had already been served with a notice by the Company that they had no *locus standi* to appear before a Parliamentary Committee against this Bill. If they had no such *locus standi* before a Select Committee, they would find themselves done. It was, therefore, imperative that they should oppose the second reading of the Bill, unless the promoters consented to restore to the ratepayers, by the insertion of clauses, the power they claimed of appointing the directors. The parties who contributed to the cost of the line were entitled, under the Act, to receive 5 per cent. The county and the city were the only parties who had paid anything, and they should be the only parties who ought to work the line. Unfortunately, the line was in the hands of parties who had no interest to work it cheaply. On the contrary, in the place of making the line for the estimates as they ought to have done, they added £200,000 to the cost. They had not only spent the £280,000, but £193,000 in addition, which had been raised by debenture bonds, and still they were £100,000 short of the means of making the line and providing the rolling stock. At the present moment they had no rolling stock, and to obtain it they wanted to dip their hands further into the pockets of the ratepayers. It was under these circumstances that the ratepayers objected to any further powers being granted to the Company. Let them finish the line they had contracted for, and if there were to be a new speculation set on foot, let them carry it out independently. There was another speculation they had put forward, not in connection with the present line, but for the construction of another—a line from Fermoy to Cork. They had issued notices for a line between those towns, although they had not a penny, and were unable to find the funds to finish their present contract. Yet Parliament was asked to allow them the further powers asked for in the present Bill. He hoped that Parliament would do justice to the ratepayers; that they would reject the Bill; and that this fresh attempt at extortion would be defeated. Parliament ought to stand by their own declaration to the ratepayers of the county, and concede to them the right of appointing the directors of the Company. It was part of the Bill of 1873 that they were to appoint, through the Grand Juries, all the directors. The income of all landholders was, for Income Tax purposes, reckoned to be £1 per annum for every £3 of their land valuation. They would, therefore, on a 3*d.* Income Tax, have to pay 1*d.* on every £1 of their land valuation. This special tax was 1*s.* 4*d.* in the £1, so that they had to pay 16 times as much for this tax as they had to pay for the Income Tax. He asked, if that were not a direct scandal? And it must not be forgotten that, although they paid the money, they had no sort of ownership over the line. The Company ought to endeavour to act towards the ratepayers in an equitable spirit. The ratepayers would be perfectly ready to meet them; but they would not rest content to be for ever deprived of their property. If the Bill were not rejected on the second reading, the chances were that the Forms of Parliament would prevent the ratepayers from being heard before a Select Committee; but, whether or not, he did not see why the ratepayers, burdened as they were, should have to spend £700 or £800 to fight a battle before a Select Committee, in which their own money would be employed in fighting against them. That this was so was apparent from the Bill itself, which stated that the cost of the measure was to be paid for by the Company; so that the ratepayers would find their own money was being used for the purpose of cutting their throats. He trusted that the House would unanimously reject the Bill, and he begged now to move that it be read a second time on that day six months.

THE O'CONOR DON said, he rose to second the Motion of his hon. Friend the Member for Waterford, and he did so without having any interest whatever in the locality affected by the Bill. Nor did he intend, in the remarks he intended to offer, to say anything at all in regard to the merits or details of the question. It seemed to him that in the Bill now before the House a very great principle was involved. It would be recollected that on former occasions the question of localities guaranteeing a certain dividend on the money invested in railways had been before the House. It would also be remembered that that principle had never been adopted in England. In England the principle had never been assented to of allowing a Company to go down to any part of the country and construct a line with a guaranteed dividend to the shareholders. The principle had, however, been adopted in the case of Ireland, and the abuses which crept in in regard to this guaranteed system in Ireland became so great, that a few years ago it was found necessary to pass a Standing Order which required the approval of the local authorities, before the promoters of such a Bill were heard, or before the Bill was taken into consideration by Parliament. In the year 1874 a Standing Order, upon his Motion and at his suggestion, was passed by the House, to the effect that none of these guarantees should be sanctioned and none of these charges thrown upon the local rates, or even received or entertained by Parliament, unless the proposal was first approved by the Guardians, the Presentment Sessions, and by the Grand Juries. This particular Bill was passed before that Standing Order came into force, and consequently, in this particular case, the preliminary assents were never obtained, and the Bill passed through Parliament without the sanction of the local authorities in this respect having been obtained. But in addition to this fact, there was this circumstance connected with the existing Act, which he believed was quite exceptional—namely, that the whole of the capital had been guaranteed. As the hon. Member for Waterford had explained, the county having guaranteed the interest upon the capital, it was intended that the railway should really belong to the county. It was further intended by Parliament that the county, representing the only parties having an interest in the line, should have full control over it. As the hon. Member for Waterford had pointed out, as a matter of fact that understanding was not carried out. The railway, instead of belonging to the county, had been converted, like all other guaranteed railways, into a shareholders' railway, under directors appointed by the shareholders. It was under these circumstances that the Company came now to ask for a further extension and for the privileges to which his hon. Friend had alluded. He (the O'Conor Don) contended that even if this further extension did not interfere with the guarantee or the charge already placed on the county, the Company would have no right to come to Parliament and ask for a further extension until, in the first instance, they had carried out the intentions of Parliament in passing the original Act—namely, that the line should belong to the county through whose money it was made. Another reason why he had risen to second the Motion of his hon. Friend was this—It seemed to him that in the Bill there was an endeavour to place an additional charge upon the ratepayers indirectly, which, if it were to be placed upon them directly, would come under the Standing Orders, and would consequently require the sanction of the Grand Jury. It would, he thought, be well for the House to consider whether it would allow a Standing Order, passed with the intention of securing the interests of the ratepayers in all these cases, to be evaded, as was done in this case. He asked the particular attention of the Chairman of Committees to this point. By the Bill, as he understood its provisions, certain powers were taken for entering into arrangements with other Railway Companies with regard to running powers and so on. Everyone connected with railway management knew perfectly well that under an arrangement entered into with another Company the running powers and arrangements made for carrying on the traffic might be of such a character as to absorb almost the entire amount of the receipts, or, at any rate, the greater portion of them. Under the existing Act the receipts were to go towards the relief of the burdens of the ratepayers, who were to provide any excess of expenditure and interest upon the capital invested over the receipts. By reducing the receipts, and taking away from the ratepayers anything not contemplated by the original Act, they interfered with the security given to the ratepayers. Therefore, in the present Bill, although there was no proposal to have a new guarantee, there was, in reality, a proposal to interfere with a sum of money which, by the original Act, was to go to the ratepayers. He held that this was as much an attack upon the pockets of the ratepayers, as if the Company proposed in the Bill to have a new guarantee. If they proposed a new guarantee on their new capital, there could not be a question that they would have, under the Standing Order, to go, in the first instance, to the local authorities for their approval; and he was of opinion that Parliament ought not to permit them to do indirectly that which they could not do directly. This, he thought, was a good and sufficient reason for rejecting the Bill on the second reading. As a rule, he was indisposed to reject a Bill on the second reading, believing that it might be much better settled in a Committee upstairs. There was, however, a further reason why the House should go into this question upon the second reading—namely, that by the technical Rules of Parliament it was possible that the ratepayers might not be able to obtain a hearing before a Select Committee. An objection had already been lodged against their being heard; and, consequently, if the House did not discuss the question now, it might be the case that the ratepayers would never obtain a hearing at all, and the promoters of the Bill might technically, in the first place, defeat the Standing Order intended to protect the ratepayers; and, in the second place, might, upon another technical Rule, shut out this important question from the consideration of the Committee. Under these circumstances—having no interest in the Bill, knowing nothing about the country through which it passed, but feeling an interest in the question of taxing the people of Ireland for speculative Railway Companies—he felt he was justified in supporting his hon. Friend the Member for Waterford in the Motion he had made.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Delahunty.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. RODWELL did not propose to follow his hon. Friend through the matters which he had brought forward in a somewhat more impassioned appeal than was generally found provided in the materials of a Private Bill; but, if the House would permit him, he would supplement one or two facts, which he thought would satisfy the House that the proposal made by his hon. Friend was not only somewhat strong, but somewhat questionable. His hon. Friend asked the House, if not in entire ignorance, but with a partial knowledge of the facts, to reverse the decision come to after a three days' inquiry by the House of Lords, where all the facts were investigated, and where his hon. Friend appeared not only as a petitioner, but as a witness. He thought it was hardly expedient—and he spoke from some experience, both there and elsewhere, of these matters—that the House should take upon themselves, without further knowledge, to reverse the decision of the House of Lords. He thought it right that the Bill should be read a second time, and referred to a Committee, equally competent with that which had already considered it, to deal with all the questions which might be submitted to them, and before whom all the facts might be laid. He was satisfied of this—that if the justice of the case demanded it, a Committee of one House would never allow itself to be influenced by the decision of another House; and experience told him, that not unfrequently a decision already arrived at by one House had been reversed by the other, if a proper ground were presented, or if the case had been imperfectly heard by the first tribunal: therefore, he thought his hon. Friend would be perfectly safe in leaving the matter to be dealt with in the ordinary way. The hon. Member for Roscommon opposed the Bill, because it involved a question of principle. But the principle was recognized already in Irish Bills; and, although an attempt had been made to introduce the same principle into England, it had never succeeded. It had, however, prevailed in regard to Irish Bills; and the reason why it was introduced was, because railways had added so much to the wealth and prosperity of Ireland, and because they never would have been made or undertaken if there had not been some guarantee of this nature secured to the promoters of the original undertaking. No one could look at the success which had attended the construction of railways in Ireland, so far as the interests of the people were concerned, without feeling that Parliament was right in giving these facilities. Certainly, without them, many of the railways of Ireland would never have existed. Therefore, if it was proposed to reject the present Bill because it introduced a new principle, he said that the principle was already acted upon. They were now asked to stop a great public work. It was upon public grounds alone that this Bill was introduced. He knew nothing of the parties or of the locality, but he had seen the Bill, and its object was to give additional station accommodation to the persons who would use the railway. He said, then, that there were no facts or circumstances in the case which an ordinary tribunal was not competent to deal with, and he hoped the House would be satisfied to allow it to be so dealt with. If there was one consideration which he might offer, it was this—that when the parties went before a Committee in either House, and their case was fairly heard, and, after having done their best to succeed, had been defeated, they would accept the decision without a murmur, although they might be dissatisfied with it. He did know this—that if a Bill was rejected on the second reading after a short discussion, which involved no new principle, parties would have little faith in Private Bill legislation. They would necessarily be greatly dissatisfied, and would have very little confidence in the judgment of the House. And he thought the general public outside would be of the same opinion. He therefore hoped that the House would not take the extreme course of rejecting a Private Bill on the second reading, unless there was something exceptional in its provisions, which he confessed he was unable to discover in the present case.

SIR JOSEPH M'KENNA remarked, that the hon. and learned Member for Cambridgeshire (Mr. Rodwell) had addressed the House on general principles, and was unacquainted with the special facts of this particular case. [MR. RODWELL said, he had already stated that he had seen the Bill.] He did not mean to say that the hon. and learned Member had not seen the Bill; but he thought if the hon. and learned Member had read the Bill carefully, he would have seen much on the face of it which would have induced him to suggest to the House considerable caution before they allowed the measure to be read a second time. He would not trouble the House by again going over the ground which had been so well covered by his hon. Friend the Member for the county of Waterford (Mr. Delahunty). His (Sir Joseph M'Kenna's) own *locus standi* was simply that of a proprietor and ratepayer in the county, and therefore he did know something about the matter. A railway had already been constructed, called the Waterford, Dungarvan, and Lismore Railway, and it had a capital of £280,000, with borrowing powers to the extent of £93,000. The mode in which the original Act had been carried out had already been described, and it was unnecessary that he should dwell upon it further. He would confine his remarks, therefore, to the present Bill. What was this supplementary Bill to do? He admitted, that on the face of it, it did not charge the county with any subsidy for the purpose of paying interest or dividend; but it authorized the Waterford, Dungarvan, and Lismore Railway Company to extend their line from their present terminus into a new terminal station at Waterford, and to carry out other objects. That was to say, that it was a Bill to constitute a new Company and a new set of proprietors, who would take possession of the terminus of the line which had already been carried out by the money of the ratepayers of the county, and without which the new stations, and other things proposed by the Bill, would be of little value. He regarded it as one of the cleverest feats of railway legislation that had ever been suggested. The Bill had already passed the Upper House; but he doubted whether the House of Lords or the Committee had heard the reasons which had been adduced that day for objecting to the Bill. It was virtually a Bill to create another and a separate and hostile interest to the general interest of the ratepayers of the county. It was, indeed, a Bill to give possession of the line to a new set of proprietors, and to give them rights with respect to charges over a particular portion of the line, no matter how far the general traffic. They could put on such terminus charges as would strangle all possibilities of the recovery of the main line. Such a principle as this had never been recognized by the House. What would have been said to any projector who, having already got the money for the purpose of making a main line from one part of the Kingdom to another, who afterwards constituted a new Company to own the terminus, and which was under no terms whatever to the old Company, or which would have the command of a bridge like the Victoria Bridge, and which could strangle the traffic if it thought fit to do so? Never had there been brought forward a Bill which had so much upon the face of it to warn the House against granting these rights to the directors. They had constructed a great line, and had asked for a security and guarantee for the capital; but now, when they had to deal with a portion of the line which could scarcely pay a farthing if it stood alone, they said they did not want any security. No! what they wanted was power over the whole line. They wanted to possess the power to strangle and to mulct the traffic if necessary. This was a measure which ought to be rejected without a division. In conclusion, he might state that, as a ratepayer and proprietor, he had a perfect knowledge of the circumstances of the county, having devoted a great deal of attention to the subject.

Mr. M'CARTHY DOWNING entirely agreed with the hon. Gentlemen who thought that Ireland derived great benefits from the system of guarantees. He was one of those who had always advocated the principle; but it was a long time before they succeeded in passing a measure which enabled many parts of Ireland to obtain railways, which otherwise would not have been constructed. But the present was a very different question. It appeared to him that the ratepayers of the county of Waterford—with which, by-the-bye, he had no connection—had been deceived. Faith had not been kept by the promoters of the Bill; and, consequently, this House had now a right to interfere in order to insist that they should fulfil their contract with the ratepayers before the House would enable them to get further powers. He thought the statement made by his hon. Friend the Member for the county of Waterford (Mr. Delahunty) was true; and really some person who was interested in this question, and who knew something of the facts, ought to get up and give some explanation of the conduct of the Grand Jury of the county of Waterford. In the case of a railway in which he was formerly concerned, the baronies through which the line ran took the precaution to have the directors' names inserted in the Act of Parliament, with a view to protecting the ratepayers against unnecessary expenditure. It was to be regretted, he thought, that a similar step had not been taken in the present instance. In order to protect the ratepayers, a provision was inserted in the original Act of Parliament, to the effect that the city Grand Jury should appoint four directors of the Company, and that the county Grand Jury should appoint eight. The city Grand Jury appointed directors; but the county Grand Jury refused to do so. The ratepayers of the county had entered into the most foolish arrangement he ever heard of. The county was to pay the capital of the railway and the interest on it, while the makers of the railway were to become the owners of the railway. The capital being £280,000, they were allowed to raise £93,000 by debentures; and the county of Waterford agreed to pay £14,000 a-year for five years under the Act of Parliament. He never heard of such a thing before. He never heard of a guarantee line coming into operation before it was open to traffic. If the ratepayers of the county of Waterford had no *locus standi* before the Select Committee, there was no tribunal to which they could appeal except the House of Commons; and, in his judgment, it was the duty of that House to protect the ratepayers, who had not been able to protect themselves. They had done a most foolish thing in mortgaging the property of the county to the promoters of the railway, who might be mere speculators; and the House ought to protect the ratepayers against anything like a further mortgage of their property. If an arrangement were entered into for the working of the line by another Company, that other Company would be able to do what it liked; because there were manipulations of these matters among Railway Companies that most hon. Members did not understand. The question had been brought before that House because the Select Committee, perhaps, did not clearly see the bearing of what was now demanded and how the ratepayers had suffered. If ever there was a case in which the House ought to intervene between the act of a Select Committee and the parties interested, it was the present case.

MR. RAIKES remarked, that in the course of this discussion a great deal had been said, which was very well worthy of consideration, as bearing upon the general question of Grand Jury guarantees in relation to Irish railways. No doubt that was a policy which called at all times for careful examination, and which was open to much question. The hon. Member for Roscommon (the O'Conor Don), in seconding the Motion for the rejection of the Bill, called attention to the share he had taken in dealing with this matter by the Standing Order which was enacted in 1874, and which required a popular assent in addition to the authority of the Grand Jury, before any subvention could be granted to any particular railway. But although there was, doubtless, a great deal to be said upon that subject which would always receive from the House the most respectful consideration, he wished to point out that that was rather a question beside that raised by the present Bill. The arguments advanced by the hon. Member for the county of Cork (Mr. M'Carthy Downing), and the hon. Member for Youghal (Sir Joseph M'Kenna), would have been more appropriate if they had been delivered in the year 1872, when the original Bill was before the House. He agreed with the hon. Member for the county of Cork, that for the county and city of Waterford to mortgage their rates to so large an amount was a somewhat extraordinary proceeding on their part; but, still, that was a matter which might have been more fitly debated when the House had before it the original Bill relating to the guarantees. The history of the legislation in regard to this railway was practically as follows:—In 1872 an Act of Parliament was passed, by which the railway was, in the first instance authorized, and this guarantee called into existence. The hon. Member for the county of Waterford (Mr. Delahunty) alleged that the consent of the Grand Juries of the city and county of Waterford to that measure was obtained by representations made to them that they would have a powerful voice in the administration of the railway, and that those representations were not embodied in the Act of 1872. Well, in 1873, a further Bill was introduced into the House, and it also became law. Owing to the action of the Chairman of Committees in the other House of Parliament, this second measure contained a Proviso to the effect, that at the Assizes next after the passing of the Act, it should be lawful for the Grand Juries of the city and county of Waterford respectively to nominate, if they thought proper so to do, 12 persons to be duly qualified directors of the Company in the place of the then existing directors. Of these 12 new directors, eight were to be nominated by the county and four by the city of Waterford. The House would perceive that this Proviso made it lawful, but not obligatory, for the Grand Juries of the county and city to appoint these directors; and it also provided that they should only take that step if they thought proper to do so. It was, therefore, a doubly optional course on the part of each Grand Jury. Immediately after the Royal Assent had been given to the Bill, the Grand Jury of the city of Waterford nominated four directors. They likewise invited the co-operation of the county; but the county decided not to exercise their optional power, and not to nominate the eight directors whom they were entitled to appoint. The four directors nominated by the Grand Jury of the city were Mr. Bennett, Mr. White, Mr. Garth, and the hon. Gentleman who was now one of the Members for the county of Waterford. Three of them were still directors of the Company, and the only new director whom the city of Waterford proposed to appoint was the gentleman who now opposed this Bill. As he had already observed, the county Grand Jury refused to co-operate with that of the city. He thought, however, it would be clearly seen by the House that at the present moment the result was nearly arrived at which would have been attained if the Proviso had been acted upon. Seven members of the County Grand Jury were also directors of the Company; and almost the only difference would have been that the hon. Member for the county of Waterford would have been a director, whereas he was not one at the present time. The hon. Member was doubtless very popular in the county, and any matter he might bring before it was sure to be warmly taken up. Indeed, he thought the representation of the ratepayers had been made, in a great measure, in consequence of the hon. Gentleman's popularity in the county. Well, the county having refused to nominate directors the Company still remained in the hands of the directors, who were orginally appointed by the shareholders. What was the share of the contribution to this railway as between the city and the county? Yesterday he was enabled to see the valuation rolls of the baronies affected by this Bill and by the Act of 1872, and also the valuation roll of the city of Waterford; and he found that the city would only be liable to some ninth or tenth part of the amount for which the Grand Jury of the county would be liable. The Grand Jury of the county of Waterford consisted of landowners, whose interests were bound up with those, he supposed, of the ratepayers.

The O'CONOR DON said, everyone who knew anything about Ireland was aware that the Grand Jurors, as Grand Jurors, did not pay a shilling of the rates.

Mr. RAIKES said, he wished to disentangle from the arguments which had been used in this discussion the point about the guarantees. The House would be carried away by a false impression if they thought that by passing this Bill they were dealing with the rights of the Company as regarded the guarantee. If the House should refuse to pass the present Bill the county would have to pay the subsidy of £14,000 just the same. The guarantee really had nothing to do with the matter. The directors asked for running powers, because they believed they would thus improve the value of the property. Never since he held his present position had he known an opposition which was more beside the mark in dealing with a particular question. He would now say a few words in regard to the *locus standi*. Of course, he could not anticipate the judgment of the Court of Referees in this matter; but it should be borne in mind that the question had been already argued before the Committee of the House of Lords. Each Committee of the House of Lords was its own authority as regarded *locus standi*. They had no Court of Referees; but the reports of the decisions of the Referees were constantly quoted before

Committees of the House of Lords, and he believed it was on the report of a case which occurred in the Commons that they decided to admit the *locus standi* of the parties in this particular case. It was fair to assume, therefore, that the Committee of the House of Commons would pay the same regard to the precedent. In conclusion, he expressed his opinion that this House would make a great mistake if it rejected the second reading of the Bill.

MR. SYNAN thought the question before the House was one of considerable difficulty. They had to select their course between the necessity of reading the Bill a second time, and relieving the ratepayers of the county of Waterford. If anything unpleasant had occurred it had been the result of the conduct of the Grand Jury of the county which, like all Grand Juries in Ireland, was not a representative body. Its members did not pay the rates on this guarantee; and when the opportunity was offered to them they would not even accept the proposal that they should become directors of the railway in order to protect the ratepayers. It had been stated that the profits arising from the extension line would be applied for the Company solely, and without any reference to the guarantee or any protection of the ratepayers of the county of Waterford. Even the promoters had denied the *locus standi* of the ratepayers before the Committee, although they wanted to get possession of the railway made by their money. If protection could not be afforded to the ratepayers, he thought, in the circumstances, that the second reading of the Bill ought not to pass, and that time ought to be given for the purpose of enabling the promoters to introduce such clauses as would protect the ratepayers under the guarantee formerly given, or that the *locus standi* of the ratepayers should be admitted for the purpose of introducing such clauses.

MAJOR O'GORMAN maintained that the ratepayers were by this Bill fully protected. The 8th clause provided that no further demand was to be made on the ratepayers of the county of Waterford. The original capital of the old Company was £280,000. A guarantee was given for the payment of interest and dividend upon that sum at the rate of 5 per cent. More money was required for the purpose of finishing the railway to Waterford. How was that money obtained? He could inform the House that it was obtained by the munificence of the Duke of Devonshire, who had advanced no less a sum than £80,000 to complete the railway. But the sum of £35,000 was required in order to finish the new extension. This £35,000 could be obtained in the usual manner; and he had the most perfect authority for stating that not a shilling should be demanded from the ratepayers any more. They would, of course, be liable to the 5 per cent on the £280,000, but not on the £35,000 which was now to be raised. He wished to draw the attention of the House to the argument which had been made use of in regard to guarantees on railways. It was true there were no guarantees on railways in England, but there were guarantees on tramways. There were no less than 20 miles of tramways in the City of Manchester, and if they did not pay the ratepayers would be saddled with the interest on them. Consequently, it was hardly competent for the hon. Member for Roscommon (the O'Conor Don) to say that there were no guarantees in England upon railways, for, after all, a tramway was neither more nor less than a railway. Again, he was in favour of this railway because it would open the resources of the country. They ought to take a broad view of the question, and he sincerely hoped this House would allow the Bill to be read a second time.

MR. BIGGAR was disposed to think that a guarantee might, under certain conditions, be proper; but, at the same time, it should be carefully guarded, and the ratepayers ought to have an opportunity of expressing their opinion on the subject. In this particular case no expression of opinion had been given in favour of the scheme of 1873. Meetings were held, and the ratepayers were led to believe that they would have the full ownership of the railway if they guaranteed the expense of making it; but the promoters of the Acts of 1872 and 1873 manipulated the Bills so, that any surplus profits which might arise beyond the amount of the guarantee would go into their own pockets. The promoters did not, in the slightest degree, represent the ratepayers either of the city or the county of Waterford. They now made an application for fresh powers, which amounted to a power to manipulate the total income of the present railway in such a manner, that it would find its way into their own pockets. In spite of what had been said, he maintained that this new project did amount to a guarantee. He thought the ratepayers of the county of Waterford ought to have an opportunity of expressing their opinion before the Bill was passed through this House. It was, he believed, an established rule, that no guarantee was ever given in a case where any material number of the ratepayers were opposed to it. In this case, however, there was the strongest evidence that the ratepayers did object to it. The hon. Member for the county of Waterford (Mr. Delahunty) had told the House distinctly that his constituents were strongly opposed to the present Bill. For this reason, he thought the House would do well to put a stop to this attempt to saddle the ratepayers with a further liability. They had been told that the Grand Jury represented the ratepayers of a county. This was not the fact. They really represented the sub-Sheriff of the county, who appointed whom he pleased. The hon. Member for the county of Waterford, and not the gentlemen who were gathered together as the nominees of the sub-Sheriff, really represented the feelings of the ratepayers. The Grand Jury did not even represent the largest ratepayers of the county, for many of its members, he was informed, were very small ratepayers. It had been urged that the persons who opposed this Bill might go before a Select Committee of this House, and state their objections there. This was equivalent to saying that these gentlemen ought to incur a heavy expense out of their own pockets in fighting persons who were spending, not their own money, but the money of the ratepayers.

Mr. PARNELL had a proposal to make to the Government. He did not wish to go into the general question as to the desirability of allowing Grand Juries or other local authorities to burden the ratepayers with charges as they had done in the present case, although it would necessarily have some influence on the House, when they saw that this charge of £280,000 was placed on the four baronies in the county of Waterford under what, practically, amounted to false pretences. He wished to show, very briefly, that the ratepayers of the county of Waterford were really entitled to every consideration from that House, entirely apart from the question as to whether the Grand Jury Laws were beneficial or the reverse. The hon. Gentleman the Chairman of Committees had argued as if this was not a question which in any way affected the ratepayers. It had been pointed out by the hon. Gentleman that the ratepayers were liable for this guarantee of £280,000 and the interest upon it at 5 per cent; and he argued from that, that the ratepayers had no further interest in the proceedings of the Company, and in the matter of the proposed extension, because no further guarantee was to be placed upon them. This line, 43 miles in length, from Dungarvan to Waterford, had been constructed with the money of the ratepayers, who would continue to pay interest on the money which was borrowed in the first instance. The line was still in an unfinished condition, and it was proposed by this Bill to add to it a short connecting link. The House would, therefore, see that the interest of the ratepayers remained unimpaired and undiminished as regarded the Bill. What had been the course adopted by the promoters? Foreseeing what would be the consequence if they gave the ratepayers any opportunity of obtaining a *locus standi* before a Select Committee of this House, they adopted the very unusual course of framing the Bill in such a way as to endeavour to prevent the ratepayers from having any *locus standi* in the proceedings before the Committee. Now, entirely apart from the question of the Grand Jury laws, he asked whether it was right or wrong originally to put a charge of £280,000 on these four baronies? And, apart from the consideration as to whether the ratepayers had obtained a benefit from the imposition of this charge, he would ask the House whether it was reasonable or just that the persons whose money had made this line should be shut out by technical objections from all the proceedings before the Committee appointed to consider the question of its extension? He submitted that no reasonable person could help saying that facilities ought to be given to the ratepayers, so as to enable them to appear before the Committee and state their objections to the scheme. The promoters, however, instead of seeking to give to the ratepayers, whose property they had wrongfully taken away, an opportunity of appearing before the Committee, had taken advantage of technical objections, so as to exclude the ratepayers from a *locus standi.* In these circumstances, it would be very fair if the House were, by assenting to adjourn the debate, to signify its desire that this opposition to the *locus standi* of the ratepayers should cease. With that object he had risen, not to prolong the debate, but to move its adjournment, until the promoters of this extension could consider whether they would not agree to withdraw their technical objection to the *locus standi* of the ratepayers, who had spent £280,000 in making this line. In conclusion, the hon. Member begged to move the adjournment of the debate.

Mr. O'SHAUGHNESSY, in seconding the Motion for adjournment, said, the difficulty in this case arose from the circumstance that the ratepayers of the county of Waterford felt themselves aggrieved by the conduct of these very men in dealing with another portion of the line now in existence. They sought to be heard before the Committee of this House, and to state their objections to the proposed extension; but they were met by a technical objection which was raised by the promoters. If the House would only remove those technical objections, this Bill would not be further opposed.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Parnell.*)

Mr. STACPOOLE supported the Motion for the adjournment of the debate, and took this opportunity of protesting against a statement made by the hon. Member for Cavan (Mr. Biggar), who said that the Grand Juries were summoned by the sub-Sheriff. Now, this was certainly not always the case. In his own county, for example, the High Sheriff was very jealous of the privilege, and always summoned the Grand Jury himself.

Mr. GRAY thought the proposal of the hon. Member for Meath (Mr. Parnell) was the real way of meeting this difficulty. He could say now, with responsibility, that if the hon. Member for the county of Waterford (Mr. Delahunty) withdrew his Motion, all objection to the *locus standi* of those whom he represented would be withdrawn by the promoters of the Bill. The opponents of the measure would have a full opportunity of being heard before the Committee of the House of Commons, as they had been heard already before the Committee of the House of Lords.

Lord CHARLES BERESFORD considered that the debate had been thoroughly thrashed out. The arguments used by the hon. Member for Cork (Mr. M'Carthy Downing) showed clearly what the popular feeling was. For his part, he objected strongly to the Bill; indeed, good reason had been shown why the Bill should not be passed. It had been said that the money was to be raised in the way of guarantee, and that was what the ratepayers were objecting to.

Mr. PARNELL explained, that in moving the Motion for the adjournment of the debate he had done so merely that the promoters of the Bill might have an opportunity of saying whether they would give the ratepayers a *locus standi.* He had been informed that the promoters would give them the *locus standi;* and, therefore, he should withdraw his Motion.

Motion, by leave, *withdrawn.*

The O'CONOR DON wished to say but one word. A strong appeal had been made on the ground that the question of guarantee would not be affected. He wished to point out that the guarantee question was affected; because the Bill, as introduced, proposed to give to the Company power to enter into an arrangement with other Companies for working the extension. Every director of a railway knew perfectly well that, under such powers, the receipts of a line under such an arrangement would go to the credit of the Company, and not to the relief of taxation. They might be, in fact, absorbed in the payment of the Company. That affected the guarantee in a substantial way; and if the Bill was passed, the ratepayers would be seriously injured.

Mr. MUNTZ was extremely sorry to stand in the way of a division. He wished to say that he had something to do with the Bill in 1872, and he considered it was not merely an Irish question after all. When the Bill was first mooted it was brought in by a Company who had obtained the consent of the Grand Jury, virtually a self-appointed body. The Bill was really one of speculation. It was a question of—"Heads I win, tails you lose." What would be said if a Railway Company offered to make a line through any county in England, and then got the consent of a Grand Jury to guarantee 5 per cent, to be paid by the ratepayers? Why, the idea would be scouted; and he wanted to know why Parliament should force upon the Irish people a taxation which they would not think of imposing upon the people of this country?

Mr. DODSON thought the hon. Member for Birmingham (Mr. Muntz) had spoken under some misapprehension. The objection he had urged might be all very well against a system of guarantee, and against the Bill as it passed in 1873. Under the present Bill, it was expressly provided that no additional liability should fall upon the ratepayers. The *locus standi* of the ratepayers was accordingly opposed, and it was feared the ratepayers might be injured. He understood, however, that the promoters of the Bill had agreed to withdraw that opposition. Some of the opponents of the Bill were satisfied with the assurance thus given to the ratepayers, who would have an opportunity of offering any further objections they might have in Committee.

Sir JOSEPH M'KENNA said, the objection urged was that there would be no *locus standi* for the ratepayers before the Committee. That, however, was not the only objection. He was by no means certain that, even if a *locus standi* were given, all the objections would be removed. The Bill was to enable the directors of a railway, who had broken their trust with the ratepayers of the county of Waterford, to get possession, by an outlay of £35,000, of the terminus of a railway which they had deluded the ratepayers to guarantee. They were trusting to the Bill to give them powers to enter into a new arrangement for the working of both lines; and everybody knew very well that would be the means of throwing over the main interest in favour of the terminal stock, and leaving in the cold those proprietors and ratepayers of the county who had guaranteed the dividends on the main line. He hoped his hon. Friend would divide the House.

Mr. DELAHUNTY said, he could not understand why the ratepayers of Waterford should have this Bill thrust upon them, and he would, therefore, divide the House on his Motion. One thing he would say, and it was this—that the hon. and gallant Member for the city of Waterford (Major O'Gorman) was thoroughly mistaken in saying that the Bill would merely affect the paying of 5 per cent upon £35,000. That would be nothing to the injury which the ratepayers would sustain in the Company obtaining working traffic and running powers with other Companies, so as to make arrangements through which the net earnings of the line would be sure to be diverted from benefiting the ratepayers. It must be remembered that the Company were getting 5 per cent from the ratepayers on the estimated cost of construction, and it was the fault of the promoters that it required £100,000 to finish the line. The hon. and gallant Gentleman knew nothing about it. He (Mr. Delahunty) would fight the Bill stage by stage, and take a division whenever it was necessary.

Question put.

The House *divided:* — Ayes 222; Noes 76: Majority 146. — (Div. List, No. 140.)

Main Question put, and *agreed to.*

Bill read a second time, and *committed.*

THE MILITARY FORCES OF THE CROWN—THE INDIAN CONTINGENT.

NOTICE OF AMENDMENT TO MOTION.

Sir MICHAEL HICKS-BEACH gave Notice, that on Monday he would move, as an Amendment to the Motion of the noble Lord the Member for the Radnor Boroughs—

> "That this House, being of opinion that the Constitutional control of Parliament over the raising and employment of the Military Forces of the Crown is fully secured by the provisions of the Law, and by the undoubted power of this House to grant or refuse Supplies, considers it to be unnecessary and inexpedient to affirm any Resolution tending to weaken the hands of Her Majesty's Government in the present state of Foreign affairs."

QUESTIONS.

LAW AND JUSTICE—THE POLICE MAGISTRACY—MR. BENSON.

QUESTION.

DR. KENEALY asked the Secretary of State for the Home Department, Whether Mr. R. A. Benson, who is reported in to-day's "Standard" as having addressed a Conservative meeting at Reading yesterday, is the same person as the Metropolitan Police Magistrate of that name; and, whether it is consistent with the quasi-judicial office which Mr. Benson holds, that he should attend public meetings and take an active part in political discussions during an election contest?

MR. ASSHETON CROSS: Sir, in reply to the Question of the hon. Member, I have to say that I have no means of knowing whether Mr. Benson, the magistrate, is the person who is supposed to have made the speech referred to, nor have I any information that such a speech was made. I communicated, however, with Mr. Benson, on seeing this Question on the Paper. Unfortunately he is not in town at the present moment, and, therefore, I have not yet received from him any reply. I may say, with regard to the other portion of the hon. Member's Question, that the only legal disabilities by statute imposed upon a police magistrate are, in the first place, that he cannot be a Member of Parliament; and, in the second place, under an old statute, that he could not vote within the Metropolitan Police District in which he was engaged. That restriction on his Parliamentary franchise was repealed in 1874. How far a person holding the position of a police magistrate is to consider himself disfranchised or disentitled to interfere in political affairs in any part of the country other than that in which he is acting is a matter of discretion. Everything must depend on the way in which he uses the liberty which the law allows him.

CRIMINAL LAW—RELEASE OF GEORGE BROOMFIELD.—QUESTION.

DR. KENEALY asked the Secretary of State for the Home Department, If he will state for what reason he has advised Her Majesty to set at large one George Broomfield, a prisoner convicted of murder at Winchester in 1865; and, if he would lay upon the Table of the House Copies of any Communications made to him, or to the Under Secretary of State, with reference to the said prisoner prior to his release?

MR. ASSHETON CROSS, in reply, said, that he had followed, in dealing with the case, the ordinary course pursued by his Predecessors in similar instances. George Broomfield had been convicted of murder at Winchester in July, 1865, and was afterwards examined by an eminent medical man, who reported that he was of unsound mind, and the sentence was commuted to one of penal servitude for life. On the 9th of July, 1866, an application was made for the removal of the prisoner from Millbank Prison to Broadmoor Asylum, and on the 11th of November, 1877, his wife applied for his release. A special Report as to his condition was made to the Secretary of State, the general effect of which was that there was no risk in discharging him, provided some person would take the responsibility of taking care of him, and of reporting at once any tendency to relapse into his former state of mind which he might exhibit. A competent person was found to undertake this duty; and, following the usual course, he was allowed, on the recommendation of the authorities at Broadmoor that he was fit to be permitted to be at large, to take his discharge. All the communications made to the Secretary of State in the matter were, he might add, of a confidential character; therefore, he could not consent to produce them.

REGISTRY OF DEEDS (IRELAND)—THE ROYAL COMMISSION.—QUESTION.

MR. KING-HARMAN asked the Chief Secretary for Ireland, If he is aware that the Royal Commission issued on the 22nd January last, for the purpose of inquiring into the present system of Registry of Deeds in Ireland and other matters connected therewith, has up to the present been inoperative, as the Commissioners have not yet held a meeting or taken any steps in pursuance of the directions contained in the Commission, although offices have been fitted up, a secretary appointed, and all necessary preparations made by the Irish Treasury for their accommodation; and, whether it is the intention of the Irish Government to take any steps in reference thereto?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON), in reply, said, that the Commissioners had been engaged in collecting information, and making arrangements for the due prosecution of their inquiries, and they would hold the next meeting on the 24th of the month, and would continue to sit regularly every week, and would, he hoped, be able to make their Report within the time assigned to them.

COAL MINES—EDDLEWOOD COLLIERY EXPLOSION.—QUESTION.

MR. MACDONALD asked the Secretary of State for the Home Department, If he has had information that an explosion took place in the Eddlewood Colliery, near Hamilton, on Friday the 10th inst., by which two men were seriously injured, and that the explosion was caused by the use of naked lights; and, since the colliery in question is in the same coal field as that of the Blantyre Colliery, where the fearful loss of life took place in 1877, whether he will prohibit, if possible, the use of naked lights in all the collieries in that coal field?

MR. ASSHETON CROSS, in reply, said, he had not as yet received full information on the subject, though inquiries had been made to which he hoped he would soon have an answer. Inspector Dickinson, and the lawyer who held the inquiry into the cause of the serious explosion at Blantyre, having made a recommendation as to the danger of that particular coalfield, he (Mr. Assheton Cross) thought it right that the Inspector should be instructed to call a meeting of the coal-owners together, and submit the Report to them, with that paragraph marked out for their special consideration. The matter would not be lost sight of; but at the present moment he was unable to say more.

THE COTTON MANUFACTORIES—THE WAGES DISPUTE—THE LANCASHIRE RIOTS.—QUESTION.

SIR WALTER B. BARTTELOT asked the Secretary of State for the Home Department, Whether he has received any further intelligence as to the disturbances in Lancashire; and, whether any arrests have been made?

MR. ASSHETON CROSS: I have received a letter written last night by the Chairman of Quarter Sessions, a man of great competence, whose word is in every way to be trusted, in which he says—

> "From all I can learn this evening all is quiet. Some shots have no doubt been fired"

—those, I think, must be the shots alluded to in the telegram which I read to the House last night—

> "by a gentleman and some police officers at Oswaldtwistle, in defence of his home, which was being attacked by a riotous mob. Any further intelligence which reaches me I will let you know."

I have not heard anything further this morning; but I have heard from the Mayor of Blackburn, who informs me that several arrests have been made in that town for breaches of the peace and assaults on the police. Some have been dealt with summarily, some remanded, and one released. The house belonging to Colonel Jackson, which was unfortunately burned down, is not within the jurisdiction of the Mayor, but in the county; and I am informed that the reason why no arrests were made for complicity in that proceeding is, that all the county constabulary were on one side of the borough, expecting the mob would come that way, but ascertaining that gentlemen who lived on the other side were coming home by train, they immediately changed their purpose, and anticipating the action of the police they got there before them, and when the police did arrive the mob had been dispersed. The county officers, however, inform me that a description of the ringleaders is in their possession, and they entertain no doubt that the offenders will be brought to justice. It is quite true that last night a very large mob came out at Preston, and that the military were called out, but there was no disturbance, and it was not found necessary to read the Riot Act, or to put into requisition the services of the troops; and the telegrams I have received from that place to-day are much more satisfactory than those of last night. I observe there is a telegram downstairs which speaks of a mill having been burned down this morning at Blackburn; but as in the communication I have received from the Mayor of the town, the subject is not mentioned, I cannot think the information is correct. I entirely agree with what fell from a noble Lord in "another place" last night. I cannot think those outrages have been committed by the better class of operatives. I know them too well to think that they would be guilty of offences of this kind. I have no doubt there are a great number of rough, idle people loafing about in the neighbourhood of these towns, and, taking advantage of the excited passions of the operatives, they instigate these disturbances.

THE MILITARY FORCES OF THE CROWN —THE INDIAN CONTINGENT — MOTION OF THE MARQUESS OF HARTINGTON.—QUESTION.

MR. E. JENKINS said, he wished to put to the noble Lord the Leader of the Opposition a Question, of which he had given him private Notice. The noble Lord had announced it to be his intention to bring forward a Motion with reference to the movement of certain Native Indian troops to Malta, and the right hon. Gentleman the Secretary of State for the Colonies had, to-night, given Notice of the terms of an Amendment which was to be proposed to the Motion from the other side of the House. What he desired to know from the noble Lord was, Whether it was his fixed intention to press his Motion to a division?

THE MARQUESS OF HARTINGTON: Sir, I think the Question of my hon. Friend, though perfectly regular in form, is somewhat unusual in character. I believe that the action which any Member of this House may take, either in pressing or refraining from pressing, a Motion to a division, must always be held to depend, to a certain extent, on what may occur during the debate to which it gives rise. I might, perhaps, say, that my course will be influenced by the support which I receive from my hon. Friend and others who act with him on the occasion to which he refers. I should imagine that it would be only regular, at all events, that we should all suppose that it is possible I may be converted by the arguments which may be used on the other side, or that hon. Members opposite might be converted by my arguments. Under those circumstances, a division may not be necessary; but I can assure my hon. Friend that, as at present advised, it is my most undoubted intention to press the Motion, of which I have given Notice, to a division.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

HARBOURS (SCOTLAND).

QUESTION. OBSERVATIONS.

VISCOUNT MACDUFF rose to call attention to the unsatisfactory condition of the harbours on the north-east coast of Scotland; and to ask, If Her Majesty's Government, now that they are in possession of the Commissioners' Report, will consider the expediency of increasing the annual grant of £3,000 towards the harbours of Scotland, or otherwise providing for their improvement? The noble Viscount said, that he had originally intended to bring the subject forward on Vote 30, but that he had taken the present opportunity of bringing it under the Notice of the House and the Government lest that Vote should never be reached. He did not wish to detain the House for more than a few moments on this question; but as it touched a matter of great importance to the North of Scotland, he should like to ask the Government whether they now saw their way to take any action in accordance with the views expressed in the Report of the Commission which they appointed last year? He would not venture to take up the time of the House by going into that Report particularly, as he was quite sure it must be fresh in the memory of the hon. Baronet the Secretary to the Treasury. He might, however, merely state that the whole gist and substance of that very careful Report was that the state of the harbour accommodation on the exposed coasts of Scotland was most inadequate to secure the safe landing of the fish supply, which they declared to be as bountiful as ever. Those who urged upon the Government the appointment of a Commission to investigate the vexed question of the falling-off in the herring trade had had considerable misgivings as to the different remedies that had been suggested by fishermen and others. But the Commissioners had again reported, as they had done in former years, against every restriction on the fishing—except some prohibitions as to trawling on the west coast—and they maintained that the herring fishery as a whole had increased and was increasing. Indeed, they asserted that enormous losses were yearly incurred by the impossibility of landing the fish in the present insecure and unprotected state of the coast, and yet he (Viscount Macduff) noticed that on the present Estimates was borne the stereotyped figure of £3,000, a sum which had been absorbed for a number of years by one series of works. He did not wish, for obvious reasons, to put forward the claims of any particular place, or advocate the granting of any particular sum, but when he found in the Report such a sweeping statement as the following:—

> "Aberdeen is the only harbour on the east coast of Scotland between the Firth of Forth and the Cromarty Firth, a distance of 220 miles, which possesses the requisites of a good harbour"

—he felt some astonishment at seeing no signs of any alteration in this old figure. He was aware that at Fraserburgh and Peterhead considerable sums were being spent and works begun which, when completed, would provide what the Commissioners recommend; but these places were close together, and beyond them stretched, far away to the Orkneys, a rocky and dangerous coast, upon which every year a great loss of life and property occurred. The north-east winds were apt to blow in sudden hurricanes, and unless the fishing-boats could, at a few hours' notice, make a port both near and sure, they were exposed to the gravest perils. Only that morning he received a communication from the magistrates of one of the harbours on the Moray Firth, stating that after borrowing money to the full extent of their available security, they were in danger of seeing their works swept away, if some additional labour, which they were not able to provide, was not at once spent upon them. He would like, therefore, to know whether, considering the Report of their own Commissioners, the Government had any intention of increasing this sum of £3,000 for the harbours of Scotland, or otherwise, of providing for the improvement of those harbours which had been for many years the subject of repeated complaints from Scotch Members?

Mr. R. W. DUFF hoped that before the hon. Baronet answered his noble Friend, he would allow him to make a suggestion as to the funds to carry out the recommendation of the Commission. When this question had been brought before the House the invariable reply was—We quite admit that there should be better harbours on the east coast of Scotland, but we do not know where the money is to come from. For the purpose of answering that question, he would address a few observations to the hon. Baronet opposite (Sir Henry Selwin - Ibbetson). It would be in his recollection that about 20 years ago a herring brand was established for Scotland. This herring brand, when first established, was only sufficient to pay the expenses of the brand; but as the fishing had gone on from year to year, this brand had increased enormously. In 1875, he found the money paid into the Treasury for the brand amounted to £8,729. In 1874, it was £8,625. He had not got the Report of last year. The Report of 1876 could not be fairly quoted, because it was a bad season. This brand for the purpose of branding herrings was now a source of revenue, yet the House would scarcely credit the statement that since the brand had been established £98,902 had been paid into the Treasury from the Scotch fisheries, and not a sixpence had been got back. The expense of branding was estimated by the Government Commissioners, in 1856, at £3,280; so, for 19 years, the cost of the brand would amount to £62,320, leaving a clear balance of £36,000 to be paid to the Fishery Board. He trusted that when the hon. Baronet rose to reply, he would tell the House what had become of the money. Everyone would admit that the fishermen were a deserving class, and everyone would admit the utility of their occupation. The Commission had reported in favour of harbour improvements. He had shown where the revenue was, and asked the Government not to put this money into the Treasury, which already benefited in a large degree from the industry of Scotland, but to keep it for the purpose of lending it out in small loans to the poor fishery people.

SIR HENRY SELWIN-IBBETSON said, that the question which the noble Viscount had brought before the House was one to which the noble Viscount had on many occasions directed the attention of the Office to which he had the honour to belong. The noble Viscount had now called their attention to the Report of the Commission issued during the year. He would remind the noble Viscount that the Report had only recently been received, and that the Government had not had time to consider thoroughly the subject-matter put before it in that Report. No one questioned, and he certainly should not question on reading that Report, the importance of harbour accommodation for the Scotch coast; but the difficulties in the way of dealing with it were really very large. There had been difficulties that were already well-known in the attempts that had been made to deal with some of these harbours. He would point to a total sum that had been already spent of, he believed, nearly £140,000 in the attempted improvement of one of these harbours at the port of Wick. That had not resulted in anything so satisfactory as to encourage efforts of that kind, and he believed the noble Viscount would see in the Report that the Commissioners had stated that the expenditure on the harbour had been practically thrown away, and instead of resulting in the protection of the trade of that district, it had created fresh difficulties in the anchorage to which the fishermen resorted. There was a question which had to be considered on a broader principle, and that was the question whether these grants in aid of particular trades were advisable or not. There was evidence of local efforts having been made, and successfully made, on several of the harbours of Scotland. One of the most important of these harbours was Peterhead. He believed that efforts at that port had for some time been made to improve the harbour. They had gone so far as to apply for a loan to the Public Works Loan Commissioners for that purpose. Fraserburgh was another of these northern ports which had been engaged in a similar way to that he had mentioned. In other places, also, local effort had been applied to get over the difficulty the noble Viscount had suggested, and it was hoped that in the course of three years these local efforts would be of immense service to the harbours of the North. That, he ventured to think, was the direction in which they ought to look in the future for the improvement of these ports. The Government would be quite prepared to encourage and assist local efforts in Scotland, as in England, as they had shown in the Acts which had been passed for that purpose. He believed that in one of these ports within the last two years the fishermen of the district and the people of the locality had raised a sum of something like £2,000, and £3,000 had been given in aid of that contribution. With such examples before them as to what local effort could do, surely that was a better form of effecting such a desirable object as the improvement of these harbours than the accepting of a large sum from the State, without any effort of the locality to assist the object. He did not say the Government would be averse to amending the Harbours' Tolls Act of 1861, so as to give further facilities to the Commissioners. He did not see his way to increase the £3,000 in the Estimates of the present year; but he was quite certain that any application supported by local effort, such as was made at Peterhead or Fraserburgh, would always meet with the favourable consideration of the Government. In answer to what was said as to the application of the particular fund received from the brand, he stated that that was a subject which had never been brought under the consideration of the Treasury. All he could say was that the Government would consider the matter; but he ventured to think that, productive as that brand might have been, it had never been so extremely productive that they could suppose that it would ever enable the Government to make grants from it to any extent. Considering the short time that had elapsed since the Report of the Commission had been made, and considering the local efforts that had been made, he ventured to think that that was a better way to deal with the subject than by increasing the sum that had been applied to this particular purpose in the Estimates.

Mr. J. W. BARCLAY said, he agreed with the exceedingly practical remarks which had fallen from the Secretary to the Treasury. The harbours in Scotland were of three kinds—namely, harbours of refuge, harbours belonging to Corporations, and harbours that were purely proprietary, belonging to the neighbouring landholder. He agreed that the expenditure on harbours of refuge had been exceedingly unfortunate. It was quite true that between £100,000 and 200,000 had been expended at Wick, involving a large burden on the neighbourhood, and that the harbour was now in a worse state than it was before the experiment took place. In some of the other harbours considerable improvements were going on. It only required that local efforts should be supplemented by loans from the Treasury. He was sorry to say that, in comparatively few cases, had much been done for proprietorial harbours. If the policy now proposed was adopted, the practical result would be that the property of the proprietors would be improved at the public expense. The local proprietors derived considerable benefit at the present time from the fishing boats, and it seemed to him that by Provisional Orders under the general Act, the localities might be able to carry out improvements in their harbours to a greater extent than they had hitherto done. With regard to the fees, he suspected that the House would have to consider very soon whether that system ought not to be abolished. He was not going to take up the question at that moment, because he intended to raise it on a later occasion; but he thought the great preponderance of opinion in regard to fees was, that instead of the system being an advantage to trade, it was quite the opposite.

Sir ALEXANDER GORDON wished to draw the attention of the right hon. Gentleman the Home Secretary to one means of improving the condition of the fishermen of Scotland, and that was by reducing the amount paid for branding herrings. He thought that the right hon. Gentleman might take into consideration the propriety of reducing the fees from 4*d.* per barrel to 2*d.* per barrel, which would be not only a very great relief, but would also be an act of justice; for the practice of levying a higher fee for branding than was necessary for covering the expense was, in fact, a direct tax upon the producers of an important article of food.

Mr. C. S. PARKER hoped that in one way or other the Government would see their way to giving the advantage of these fees to the trade, either by reducing the price of branding herrings, as the hon. and gallant Baronet (Sir Alexander Gordon) had suggested, or, on the other hand, by applying the surplus collected from year to year to the improvement of the harbours. He hoped he was right in understanding the hon. Baronet (Sir Henry Selwin-Ibbetson) to say that it was not the wish of the Government to make a revenue for general purposes out of this branding of herrings; and, if the fees were not to be reduced, the surplus from them might be regarded as peculiarly available for promoting the improvement of harbours. It was true that efforts had been made, with some success, at Fraserburgh, Peterhead, and Buckie; but these were all near together, while, northwards, the long stretch of coast as far as the Orkneys was still without good harbours; and if he had to choose between the two, he thought he would rather see the present fee for branding herrings sustained, and the amount applied to the improvement of the harbours. As to putting an end to branding altogether, he hoped that would not be done without full consideration of the Report of a former Royal Commission in its favour.

Sir GRAHAM MONTGOMERY said, that as a director of the British Fisheries Society, he wished to protest against the assumption made by the Secretary to the Treasury, that the breakwater at Wick was a total failure, or that the *débris* of the breakwater had injured the anchorage. He was informed that it was of very great service to the fishermen at some states of the wind and tide, and he wished it to be understood that before the breakwater was constructed all the plans were submitted to the Admiralty and the Board of Trade, and received the approval of their engineers. With regard to the other question—namely, as to the harbours, he thought that £3,000 a-year was a very small sum to be expended upon them, and he never could see why the balance of the sum obtained for branding herrings should not be employed in this service.

Sir GEORGE CAMPBELL said, he wished to urge upon the Treasury that

Scotland had a very strong claim to justice in the matter of these local improvements. Scotland, unlike Ireland, not only paid its full share of all the general taxation of the country, but paid much more than its share of the taxes upon alcoholic liquors. It was also the case that there were several subjects of local Revenue in Scotland which were not wholly devoted to local purposes, but to Imperial Revenue. There was the matter of registration in Scotland, which should not be made a source of Imperial profit, as in fact it was, and there was also the branding of fish, which was a source of income to the Imperial Exchequer. He contended that Scotland had a claim to simple justice in the matter.

DIPLOMATIC APPOINTMENTS — APPOINTMENT OF THE HON. COLONEL WELLESLEY, MILITARY ATTACHE AT VIENNA.—RESOLUTION.

MR. BENETT-STANFORD, in rising to move—

> "That this House disapproves of the appointment of Colonel Wellesley, of the Coldstream Guards, to the post of First Secretary of Embassy at Vienna, over the heads of a large number of old and competent diplomatic servants,"

said, it was with considerable reluctance that he brought this subject before the House, because it was exceedingly disagreeable for one who was generally a warm supporter of the Government to expose what he regarded as a great piece of favouritism and jobbery. He had been asked not to bring the matter forward, as it might seem that he was attacking the Government; but he disclaimed all intention of attacking anything more than the principles which had been acted opon. Whether a job was a Conservative or a Liberal job, it was a job notwithstanding. If the supporters of a Government were never to make complaints, they might just as well be mere mutes or Lobby loungers at the beck and call of the Whips. He also wished to guard against its being supposed that he was attacking an individual, inasmuch as he had never, to his knowledge, seen Colonel Wellesley, and certainly had no personal feeling against him. He had heard it said on all sides that Colonel Wellesley was a smart young officer, an accomplished gentleman, highly connected, and a moderate linguist. But, in spite of all those qualifications, he considered him totally unfit to carry out the duties of the post to which the Foreign Secretary had appointed him. No less than four different debates had taken place in the two Houses of Parliament with reference to Colonel Wellesley. In 1871, he was selected to fill the post of Military *Attaché* at St. Petersburg, and there was immediately a debate on the appointment. It was explained by Lord Enfield, then Under Secretary of State for Foreign Affairs, that it was a military staff appointment, and would only last five years, and that the great reason why he had been appointed was that he had been adjutant of his regiment, and that there were no other officers who were fit for the appointment. The fact was, that there were no less than five most competent officers who applied for that post, but were refused; while Colonel Wellesley, at 26 years of age, a subaltern in the Guards, never having seen a shot fired in his life, except, perhaps, at Hurlingham, was appointed. Among the officers refused were Captain Burnaby, Captain Hozier, Captain Gould—an officer in the Guards at the time—all excellent Turkish and Russian scholars, and Captain Vincent, also an excellent officer and linguist. When Colonel Wellesley obtained that appointment, he did not leave the Army; on the contrary, his diplomatic pay of £600 was continued, in addition to his regimental pay, and his promotion also went on. The principal reason assigned for giving him that appointment was because he had been adjutant to his regiment; but there was a large number of senior adjutants over whose heads he was placed, and, therefore, the fact that he had held that office was no criterion for his qualifications. In 1875, he was made a lieutenant-colonel without purchase, being promoted over the heads of 900 majors, he never having done any duty with his regiment for over four years, the whole of his work having been performed by another officer of the Guards. In 1876, his time was up, and he ought, in due course, to have returned to his regiment, and some other deserving officer appointed; but he did not blame Lord Derby for retaining him in his position, because at that time our relations with Russia were rather strained, and it was as well, therefore, not to make any change in our diplomatic staff at St. Petersburg. In 1878, Colonel Wellesley, being then 33 years of age, and never having done a single day's duty with his regiment in the Guards for seven years, and having drawn pay for both his appointments, was made full colonel over the heads of 300 lieutenant-colonels, and of 1,200 field officers in the Army, many of whom were in active service when Colonel Wellesley was a mere child. He now came to the appointment of which he more particularly complained—namely, that of Secretary to the Embassy at Vienna, which carried with it a salary of £1,000 per annum. Colonel Wellesley obtained that appointment over the heads of 90 well-tried servants of the Crown, whose claims were superior. The Foreign Secretary was responsible for filling that post, and it would be for Parliament to say whether he had exercised a just and wise discretion in appointing one who had never been in the Diplomatic Service, and who was, in fact, a mere outsider, over the heads of a number of gentlemen of experience, and who were well qualified to fill the post. In reply to a Question put by him (Mr. Benett-Stanford), the Chancellor of the Exchequer had referred to Rule 18, under which the Secretary of State reserved to himself the right of recommending military officers to the higher and more responsible posts without previous diplomatic service, and had quoted as cases, in which the Secretary of State had exercised that discretion, Lord Strathnairn, Colonel Stanton, and Colonel Mansfield; but he found, upon reference, that each of those gallant officers had held diplomatic appointments before being preferred to the higher posts in the service. To give the House some idea of the officers whom Colonel Wellesley had superseded, he might mention that he had passed over the head of one officer who had seen 62 years' service, one who had served 38 years, another who had served 34 years, several who had served from 30 to 26 years, four 23 years, seven 22 years, four 20 years, nine 19 years, four 18 years, and twenty-four 9 years. One of the officers to whom he had referred—a Mr. Gerard Gould—had been employed for not less than 34 years on special and other diplomatic services in 17 different countries, including Hanover, Berne, Vienna, Venice, Mexico, Vera Cruz, Washington, Constantinople, Cyprus, St. Petersburg, Buenos Ayres, Paraguay, Athens, Berne (second time), Copenhagen, Stockholm, and lastly at Lisbon; while, of Colonel Wellesley's service, he found it stated that he "entered the Coldstream Guards, 1863; was ensign, 1863; lieutenant and captain, 1866; captain and lieutenant-colonel, 1875; Military *Attaché* at St. Petersburg, 1871." That was the whole of his service; and he thought if the printer had added—"Nephew of the Duke of Wellington, son of Lord Cowley, and son-in-law of Lord Augustus Loftus, Ambassador at St. Petersburg," he would have added some important information. It must be remembered that the gentlemen who entered the Diplomatic Service had to pass a severe examination, and then to serve for two years without any remuneration; that, at the expiration of that time, they obtained a salary of £150 per annum, which was increased to £300 per annum on their passing another examination. This was the first instance in which an outsider had been brought into the middle of the service. The main question, however, was whether Colonel Wellesley was competent to fill the office to which he had been appointed? The Chancellor of the Exchequer had said, the other evening, that Colonel Wellesley had held several diplomatic positions; but, on that point, the right hon. Gentleman was mistaken, inasmuch as he had merely been Military *Attaché*, which in no way qualified him for a diplomatic post. The Chancellor of the Exchequer seemed to think that diplomacy was a thing to be caught, like small-pox or measles, merely by attending a foreign Court. He could assure the right hon. Gentleman that it could not be caught in that way. It was said that Colonel Wellesley, since he had been in St. Petersburg, had proved himself to be an efficient officer. He had certainly learnt Russian; and if there was one thing in which he had been unwise, it was in expressing rather too freely his opinion of the officers of the Staff in Russia. The officers of the Staff at St. Petersburg had, it appeared, all quarrelled with Colonel Wellesley. He did not say who was in the right, but the fact was as he had stated it, and the quarrel between the Grand Duke Nicholas and Colonel Wellesley was connected with the indiscreet way in which the latter expressed his opinions about the officers of the Staff. Therefore, Colonel Wellesley was hardly the person to be placed in the post of First Secretary of the Embassy at Vienna, where, if anything happened to the Ambassador, the First Secretary would have charge of that important Embassy. They might just as well put him (Mr. Benett-Stanford), because he was an officer of the Volunteers, and knew a little about drill, in command of a brigade of the Guards. In 1858, Lord Malmesbury, then Foreign Secretary, appointed a gentleman who had nothing to do with diplomacy—Lord Chelsea—as First Secretary to the Embassy at Paris; and what was the result? When Lord Palmerston's Government afterwards came into power, Lord Russell, then Foreign Secretary, finding that Lord Chelsea had been placed over the heads of many old diplomatic servants, removed the noble Lord from the service altogether. If a change of Ministry occurred—a thing he hoped would not take place for some time yet—what was there to prevent another Foreign Secretary from acting on the precedent of 1858, and dismissing Colonel Wellesley? Diplomacy had been spoken of as if it were not a special art and science, whereas it was really the science or art of conducting negotiations between nations, particularly in securing treaties; and he doubted if Colonel Wellesley had any such knowledge. Every member of the Diplomatic Service, before he received a place or any pay, must possess, among other things, a knowledge of Constitutional History, *Blackstone's Commentaries*, Hallam's *Constitutional History of England*, Adam Smith's *Wealth of Nations*, Mill's *Political Economy*, the Political History of Europe, and Political Economy generally, and must also be acquainted with Latin, as well as with two foreign languages. But had Colonel Wellesley these qualifications? The Chancellor of the Exchequer, in defending Colonel Wellesley's appointment, had said they must have a competent person to put in the post of First Secretary of the Embassy at Vienna. That was a slur on the whole Diplomatic Service. There was an abundance of excellent public servants who could fill the post, and who had looked forward to filling it, instead of which a member of an entirely different profession had been put over all their heads. In conclusion, he might say that in bringing that Motion forward he did not mean to attack the Government, but to attack the principle on which they had acted; because, when they saw a gross piece of injustice, and, he might add, of nepotism, the House ought to express its disapproval of it, and to defend well-tried servants of the Crown, who had no one in the House to represent them or protect their interests. The hon. Gentleman concluded by moving the Resolution of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House disapproves of the appointment of Colonel Wellesley, of the Coldstream Guards, to the post of First Secretary of Embassy at Vienna, over the heads of a large number of old and competent diplomatic servants,—(*Mr. Benett-Stanford.*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

COLONEL STANLEY said, he felt that he ought not to allow a single moment to pass before he replied to the hon. Gentleman who had brought forward that Motion. He had been prepared from the first to accept—and he was bound, in a Parliamentary sense, still to accept—the hon. Member's very general disclaimer of being actuated by any personal motives on that occasion; but he could not help thinking that, in view of some of the terms of his Resolution, some of the matters on which the hon. Gentleman had touched in his speech were, to say the least, slightly out of place. The hon. Gentleman disapproved the appointment of Colonel Wellesley, as First Secretary to the Embassy at Vienna, over the heads of a large number of diplomatic servants. Now, he would concede that that was not the first time Colonel Wellesley's name had been brought before the House. And on the present occasion, as on the former one, he had no doubt that the same answer which could be given about Colonel Wellesley would be as fully satisfactory as it was before. But when the hon. Member thought it necessary to revert to previous debates, to criticize as minutely as he could do, and to comment, in terms which very barely avoided being ironical, on the performance of Colonel Wellesley's military duties, he could not but think that that went rather beyond the terms of the Motion, and partook somewhat of the character of a personal attack on a gentleman who was not there to defend himself. ["No!"] He was glad to hear that disavowal, and hoped it would be fully understood. With regard to Colonel Wellesley's services, they had already been pretty well recited to the House. But it was not right to pass by that which had been said about his previous appointment as Military *Attaché* at St. Petersburg without giving in some slight detail, the reasons why he had been selected for the very important post that he had so lately vacated. It would be recollected that, in a recent discussion in that House, his noble Friend Lord Cranbrook stated that Colonel Wellesley's appointment was made in 1871; that he was appointed, although an officer of very junior rank, very much owing to the special qualifications he possessed for the particular post to which he was sent as Military *Attaché*, and that no fewer than eight officers to whom the post of Military *Attaché* had been offered had declined it, partly on the ground of that which was very notorious—the expense of living at St. Petersburg—and partly for other reasons, into which it was unnecessary to enter. Colonel Wellesley, although a junior officer, was selected for the appointment; he had held it since 1871, and he thought it was, indirectly, no slight praise to him that, although there was no term, in the strict sense of the word, yet, when the ordinary period of five years expired, it was deemed for the benefit of the public service that he should be continued in the important post which he occupied. His noble Friend also stated that Colonel Wellesley was well fitted for the post, that he was not only an able officer, but an accomplished linguist, able to speak Russian, and that it was agreed on all hands that, although he had been appointed in 1871, it would have been injudicious to remove him last year, when events in the East of Europe took so important a turn. He had thought it right to bring to the notice of hon. Members, who were not present on a previous occasion, the fact that so far as concerned Colonel Wellesley's special fitness for the post of Military *Attaché*, it had been accepted by the House. As to the question of supersession, the hon. Gentleman said he did not mean to make any attack on the Government, but only attacked the principles on which they had acted; and if it could be shown that those principles were contrary to those which had been deliberately affirmed on more than one occasion, undoubtedly the hon. Gentleman's facts might have some force. But, so far from that being the case, the appointment which had been made—although, undoubtedly, somewhat out of the usual course—was one of a nature which had been foreseen and expressly provided for. If he turned to the 18th Rule of the Foreign Office, he did not find, nor had he heard, that there was any reservation in that clause. The Secretary of State preserved to himself the power of naming any person, even though he might not be a member of the Diplomatic Service, for the higher and more responsible posts in it; and with regard to any promotion, he would not be restricted by claims founded on seniority from making such appointments as he might deem right. The hon. Member had spoken as if that Rule had been inserted in the Regulations without any intention that practical effect should be given to it, and he would recount the circumstances under which it had been made. A Committee, which had been moved for by the then Member for Warrington (Mr. Rylands), had conducted a very laborious and exhaustive inquiry for two years, and in their recommendations with regard to the Diplomatic Service, there was a paragraph in which they expressly said that, having considered the question whether outsiders should be brought into the profession of diplomacy, they thought that, under certain circumstances, the power of appointing them should be left to the Secretary of State, and they gave it as their opinion that he should not be confined to the service alone in filling up vacant appointments. It could not be said, then, that that power was so novel that it was inexpedient to exercise it. Under ordinary circumstances, there might have been something to say about this appointment; but, considering the present position of affairs, he contended it was justified by the facts of the case. The hon. Member seemed to think that no one had been taken into the Diplomatic Service from the outside; but there was the noble Lord (Lord Strathnairn) who, as Sir Hugh Rose, was appointed Secretary to the Embassy at Constantinople, and there were many other instances he could mention in which military men had received similar appointments. He observed that the hon. Member attached great importance to the regulations as to promotions in the Diplomatic Service; but these were only meant to apply to minor posts, and it seemed to him that he did not draw a distinction between those and appointments of a higher rank——

MR. BENETT-STANFORD: I rise to explain. It has always been considered in the service that gentlemen from the outside—Members of Parliament and such like—might be placed in the upper posts, but that minor appointments should always be conferred on gentlemen of the Diplomatic Profession only.

COLONEL STANLEY said, he would give the hon. Gentleman the benefit of his contention, for Lord Strathnairn formerly filled an appointment of some importance before he was promoted—namely, that of Consul General, and, unless he was very much mistaken, had been appointed to that very important place directly from the Army and while serving in it. He need not point out that there had been other cases, and notably that of Mr. Layard, where gentlemen had been taken from the outside to fill important places in the Diplomatic Service, and he would not weary the House by recounting the numerous instances in which transfers from the Consular to the Diplomatic Service had been of much public advantage. He drew from the fact of those transfers the argument that the Diplomatic Service was not a close profession; and it had always been understood that, on the authority and responsibility of the Secretary of State, it should be open to him to appoint those who would, in his judgment, best serve the required purpose. The hon. Gentleman had said that in the duties of Military *Attaché* there was nothing of a diplomatic character, and that he only had to collect details about arms, ammunition, and troops, which were in no way concerned with diplomatic matters. To that statement he was obliged to demur. In the first place, the information which it was the duty of a Military *Attaché* to procure was of very great importance, and it was no inconsiderable advantage to him to have facilities, from his position as an officer, for procuring proper information. In almost every country there was a very large number of questions connected with the military service which intimately concerned diplomacy, and the Military *Attaché* went through a course of training which would thoroughly fit him for duties more strictly of a civil nature. It was not to be lost sight of that in these days and in certain countries military rank had distinctly its advantages; and, particularly in relation to the Court to which Colonel Wellesley was about to be accredited, his military rank and his position as a personal *aide-de-camp* of the Sovereign gave him considerable advantages, and also enabled him better to discharge the duties to his country which he was sent to perform. ["No!"] Hon. Members might dissent from that view, but it was a matter of fact and not of opinion, and he felt sure that Colonel Wellesley would justify his prophecy rather than their interpretation of it. However, Colonel Wellesley had discharged other than military duties; and hon. Members, if they looked at last year's Parliamentary Paper, No. 9 on Turkey, would find records to show that Colonel Wellesley had the highest authority abroad, and a memorandum of the communications which passed between him, as the Representative of Her Majesty's Government, and the Emperor of Russia. It was only necessary to refer to those Papers to prove that Colonel Wellesley had already been trained to negotiations of extreme delicacy and importance. There was one point on which he would only touch very lightly. It would be difficult for him, acquainted though he was with many members of the Diplomatic Service, to take a series of names and point out the particular qualification which this or that man could show in competition with Colonel Wellesley. One gentleman had served for 62 years—perhaps that was no special qualification, nor was it necessary that a man should have experience of every clime in the world. He had rather not discuss the merits of those gentlemen; but, when he found that there were rules laid down upon principles which had been accepted by a Committee of the House and acted upon by successive Ministers, and that, according to those rules, Colonel Wellesley had been appointed as the fittest person, he was content to set the opinion of Lord Salisbury and Lord Granville against that of the hon. Member, and to leave the hon. Gentleman to draw his own conclusions. He had endeavoured, as far as possible, to avoid giving offence to anyone, and if he had spoken with warmth he must apologize for having been betrayed beyond his duty. He did not think he had said anything which could not be justified, and he believed he had sufficiently proved to the House that this appointment was consistent with the rules of the service, that it could be fully justified by the circumstances of the case, and that it did not fall under those terms of condemnation which the hon. Member sought to impose upon it.

MR. GRANT DUFF said, it was impossible to discuss a personal matter without personal allusions, and he claimed the right of saying everything with regard to Colonel Wellesley which he should have said if Colonel Wellesley were sitting opposite to him. In the first place, he admitted the contention of the right hon. and gallant Gentleman who had just sat down, that it was right and proper that the Secretary of State should have the power of making these appointments in the Diplomatic Service; but to that high power attached a grave responsibility, and he did not think that any Secretary of State should put a man in any position in the Diplomatic Service unless he was prepared to meet, in the most distinct and categorical manner, any challenge in that House as to the merits of the person appointed. Two cases had been referred to in the course of this discussion. When the present Viceroy of India was appointed, the diplomatic post he vacated at Lisbon was conferred upon a gentleman whose preferment caused a certain amount of dissatisfaction among the friends of persons who thought they had a better claim to the position. But the reason why the gentleman in question was sent there was so obvious that no one on either side of politics in that House challenged the appointment. The other case was that of Mr. Layard, who was appointed to a very high position—to the Legation at Madrid; but his appointment, also, was not challenged in Parliament, although Mr. Layard had been a militant politician for many years, and had, as such, a fair share of enemies. If the Chancellor of the Exchequer would show that, in the present instance, there were thoroughly good reasons for the appointment of Colonel Wellesley, he should have nothing more to say on the subject. But, in looking at the case of Colonel Wellesley, the first thing that struck him was the fact—it was rare for any man to develop ability entitling him to exceptional promotion in two totally distinct lines of life; but this fortunate person had developed not only great diplomatic, but also great military ability. Although he was a comparatively young soldier, being only 33 years old, and having had only 15 years' service, he was put over the heads of hundreds of officers, many of whom had seen a great deal of service, and was made *aide-de-camp* to the Queen, thereby attaining the rank of full colonel in the Army. This happened in the month of January. Then it was a remarkable circumstance that, immediately after a connection of this fortunate young gentleman became Secretary of State for Foreign Affairs, it was discovered that Colonel Wellesley possessed extraordinary diplomatic ability, as it had previously been discovered that he had extraordinary military ability. Accordingly, he was put into a high position in the Diplomatic Service, and was put over the heads of some 95 men, many of whom had done good service to the Crown. It ought not to be forgotten that the military position of this fortunate gentleman was an exceedingly irregular one—for either he would now draw his full military pay, in addition to his pay from the Diplomatic Service, or else he would draw his half-pay after only 15 years' service; whereas the usual period after which half-pay was drawn was 25 years. It was said that Colonel Wellesley had peculiar qualifications for the office—that he had acquired a certain knowledge of Russia and of the Russian language. The fact was that he had been in Russia for something over six years. Well, if he had not learned Russian, and had not obtained some knowledge of Russia in that time, he would have been an idiot, and would have been perfectly unworthy of any position in Her Majesty's service. If Colonel Wellesley's appointment was to be justified by his exceptional military ability, either the gentlemen over whose heads he had been appointed had grossly neglected their duty, and thus disqualified themselves for this post, which should have fallen to them by seniority, or else they lacked ability in a remarkable degree. But the fact was that a good many had been passed over who were much more competent to fill this position than Colonel Wellesley. If he had been sent as Military *Attaché* to Vienna, that would have been a natural course of promotion; but why was he advanced to a position for which he had evinced no aptitude? It had been alleged that the fact of Colonel Wellesley being a military man would give him some special advantage at Vienna. This, however, he wholly denied. It was well known that, although the policy of Austria might, on various occasions, be divergent from that of Russia, yet the alliance of a personal kind between the two Empires was very close, and the circumstance that Colonel Wellesley had had an unpleasant quarrel with a Russian Grand Duke was not likely to commend him to the Court of Vienna. He knew there were some persons in this country whose passion at present was hatred to Russia, and that the mere fact of a man having rendered himself peculiarly distasteful to Russia and having seen the seamy side of Russian society, was likely to make him very popular indeed. He, however, took a totally different view of the matter. Such experiences were not a qualification for a man becoming a member of a profession, whose honourable motto ought to be—"Peace on earth and goodwill towards men." It had been stated in the course of the discussion that the Earl of Malmesbury, when Foreign Secretary, appointed a defeated Conservative candidate to the post of First Secretary to the Embassy at Paris—the Ambassador at the time being Earl Cowley, the father of the gentleman to whose appointment attention was now called. But no mention was made of the fact that the position of the gentleman appointed was made most disagreeable to him, and that he was removed as soon as the Government of Earl Russell came into Office. Colonel Wellesley might be very well received by the Embassy at Vienna; but, if he were, the members of the Embassy were not possessed with the usual passions of human nature. Of this the Government might be perfectly certain, that the appointment would be criticized most bitterly in every capital of the world. It would be criticized not only by persons who thought that a grievous wrong had been done to the public service, but by men smarting under a sense of personal wrong, and they would be members of a society which had no superior in point of honour, and they would, on that account, be listened to. He would say no more on this subject. There were two kinds of truths. There were truths which it was wise to speak, and there were others on which it was better to keep silent. He trusted that the Chancellor of the Exchequer would be able to make a reasonable defence of this appointment, and to justify it on the ground of peculiar qualifications.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I must begin the few observations I have to make by saying that it is wholly out of my power to answer accusations which are not fit to be made, and I can only regret that the hon. Gentleman the Member for Elgin (Mr. Grant Duff), after having made a tolerably severe attack upon Colonel Wellesley, and upon this appointment, based on grounds which I think I shall be able to show have been perfectly untenable, has thought fit to wind up his remarks with a vague kind of charge which he does not choose to define. It may be that he took this course because he thought he had not made out a sufficiently strong case against Colonel Wellesley, or because he desires to throw a little discredit in a way it is utterly impossible to measure, and which we can only deal with on the principle of *omne ignotum pro magnifico* —or, in other words, on the suggestion implied in his observations that there was a good deal more behind to say, but that it was so bad he would not bring it before the House. I must say that I think this a most unfair way of dealing with the question before us. It is true, as has been said, that Colonel Wellesley is not present among us in person, but he is represented by his official superiors, and I think it was peculiarly desirable that no attack of the kind should have been made without full Notice having been given of the intention to bring the matter forward. It is true that the Foreign Secretary makes these appointments on his own responsibility, and it is also true that the hon. Member for Elgin has expressed his opinion that the Secretary of State ought to defend his appointments; but it is also a fact, as the hon. Member knows, that the Foreign Secretary has no voice in this House, and that he can only be defended by his Colleagues in this House after they have been made fully acquainted with the nature of the charges to be brought against him. The hon. Gentleman has implied that there are some personal and family reasons for this appointment, and he also spoke of Colonel Wellesley as a connection of Lord Salisbury. "Connection" is a word of wide meaning, and personally I know nothing of the matter as far as the present question is concerned; but I have the authority of my noble Friend the Marquess of Salisbury for saying that his connection with Colonel Wellesley, as far as his recent appointment is concerned, has been purely official, and therefore only dates as far back as the time at which my noble Friend became Secretary of State for Foreign Affairs. I am further authorized by my noble Friend to say that the appointment was made entirely apart from any pressure from without, and solely because he thought, on public grounds, that Colonel Wellesley was eminently fitted for the office to which he has been appointed. Colonel Wellesley, as the House must know, has great personal experience of the peculiar circumstances existing at the present time, as far as foreign politics is concerned. The hon. Gentleman has suggested that Colonel Wellesley's peculiar qualification was that he talked Russian, that that was all he had done during the last six years, and that he must have been a great fool if he had not learned to talk Russian in that time. That is not the point. Nobody ever said a word about it. Colonel Wellesley was, I believe, able to talk Russian before he was appointed Military *Attaché*. ["No, no!"] It was one of the grounds given.

Mr. BENETT-STANFORD: It was a wrong ground, then. Lord Enfield said so, but he was mistaken.

The CHANCELLOR of the EXCHEQUER: I am informed that the Report made upon Colonel Wellesley, before his appointment, or at the time he was appointed Military *Attaché*, was to the effect that he had served in the first battalion of the Coldstream Guards, that he was much above the average ability, and in capacity was an exceedingly smart, zealous, and intelligent officer, and that he was acquainted with the French, German, and Russian languages; also that his knowledge of the world particularly adapted him for the position of Military *Attaché*. But that is not the point upon which we go. The point is the peculiar position that he has occupied during the last year or two, and the peculiar nature of the appointment which he has accepted. If the hon. Member for the Elgin Burghs had only looked at the Papers which have been laid on the Table of the House, he would have seen that within the last year Colonel Wellesley has been the medium of important diplomatic communications at times when the Emperor of Russia was far removed from St. Petersburg, and when, therefore, it would not have been possible for Her Majesty's Ambassador at the Court of the Czar to have been in personal communication with him. In these transactions Colonel Wellesley showed that he was something more than a Military *Attaché*, and that he was capable of dealing with delicate questions of diplomacy. Under all these circumstances, my noble Friend the Secretary of State for Foreign Affairs came to the conclusion, in which all his Colleagues agreed, that Colonel Wellesley was eminently fitted for the post, and accordingly appointed him to it. This my noble Friend did on his own responsibility, believing the appointment to be the best that could be made for the public service. It therefore comes to be a question of opinion between my noble Friend and the hon. Member for the Elgin Burghs as to the eligibility of the appointment, and I must leave it to the House to decide the point between them; but I can confidently assert that the grounds on which the appointment was made were those which I have stated, and no other. I shall not go into the general question of the mode in which appointments of this kind are made. The names of the late Lord Lyons and of Lord Stratford de Redcliffe might be mentioned as eminent instances of the fact that in former times the Diplomatic Service was by no means a close service in the sense of being one confined entirely, or almost entirely, to men who had been brought up in it; but I admit that in more recent times—since 1861—it has had more the character of a close service. Still, I agree with the opinion expressed by a Committee which sat some seven years ago, namely—

> "That it is undesirable in the interests of the public that promotion in the diplomatic service, especially for the higher and more responsible posts in it, should be by way of seniority; and the Committee are of opinion that the Secretary of State should be distinctly understood to make his appointments to such posts on his own responsibility by way of selection, and not by way of seniority; and that, while paying proper regard to the due claims of those in the service, he should not be confined in his freedom of choice in filling up such appointments."

Upon that was founded the Rule observed in the present case. I admit that, as a general principle, the Foreign Secretary ought to be very careful—as he is—not to disappoint the proper hopes and expectations of men serving in the lower ranks of the service; and I admit that such an appointment as this is not one for which there is frequently reason and justification, except for the special circumstances under which it was made. Those special circumstances I have stated, and I can assure the House that the appointment was made by Lord Salisbury for no other reason than because he believed it was the best appointment under the circumstances.

MR. KNATCHBULL-HUGESSEN said, he should vote against the Motion. He was personally acquainted with Colonel Wellesley, and he had formed a high opinion of his ability. That fact alone, however, would not have been sufficient to induce him to vote against the Amendment before the House, but he took a broad constitutional ground. When Ministers took an unconstitutional course and slighted the House of Commons, no one was more ready than he to oppose them. But, on the other hand, he thought it most dangerous for the House of Commons to interfere between these appointments and the responsible Ministers of the Crown, unless there was marked incapacity shown—and especially at such a time as this. The responsibility of the Government was great in choosing proper officers, and it was impossible that the House could form so good an estimate of the capacity of the men that were appointed as those whose special duty it was to appoint them. Here there was no proof of incapacity, nor even any allegation that such existed. If there was any matter in which a Minister ought to be left to act upon his responsibility, it was in the case of an appointment such as that of Colonel Wellesley, and, happily, no question of Party politics arose to complicate the matter. The late Government was attacked because they placed Sir Robert Collier in his present position, but the result had shown that they were justified in doing so; and their main defence had been that, whatever technical doubts there might be as to the meaning of an Act of Parliament, they had, upon their responsibility, selected one whom they believed to be the best man for the place. Such, no doubt, would be the case in the present instance, and he should therefore support the appointment, because he believed it to be a good one.

MR. BAILLIE COCHRANE said, he had been a Member of every Committee that had sat on the Diplomatic Service, and he could state that the general opinion of those Committees was that the Diplomatic Service should be thrown open as far as possible. Some five or six of the English Ministers abroad had never been *attaché* or secretary to an Embassy; and, as the First Secretary of Embassy had, in the absence of the Ambassador, to perform his duty, it was desirable that such appointments should be open. He believed Colonel Wellesley was fitted for the post to which he had been appointed, and he had no doubt the appointment would be attended with advantage to the public service.

MR. W. LOWTHER said, that it was with great regret that he had heard the answer given the other day by the Chancellor of the Exchequer. He said the other day that nobody was so well qualified to fill the post as Colonel Wellesley, and he (Mr. W. Lowther) regretted that the right hon. Gentleman had gone out of his way to give a slap in the face to the whole of the junior members of the profession. He had not the honour of Colonel Wellesley's acquaintance, but he could not but regret his appointment as a departure from the invariable practice in such cases, and one which the Diplomatic Profession would very much deplore. The position of Military *Attaché* was quite different from that of other *Attachés;* and his firm opinion was that Colonel Wellesley would be equally useful at Vienna as Military *Attaché,* and he would have more ready access to the Court than if he were a Diplomatic *Attaché.* The action of Lord Salisbury might be legally right, but he (Mr. W. Lowther) could not help thinking that it was morally wrong.

Question put.

The House *divided:*—Ayes 250; Noes 83: Majority 167.—(Div. List, No. 141.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, *withdrawn.*

Committee *deferred* till *this day.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at five minutes
after Nine o'clock till
Monday next.

HOUSE OF LORDS,

Monday, 20th May, 1878.

MINUTES.]—Public Bills—*Second Reading*—Local Government Provisional Orders (Abingdon, &c.) * (83); Public Works Loans * (81)
Committee—Report—Adulteration of Seeds Act (1869) Amendment * (79).
Third Reading — Customs and Inland Revenue *, and *passed.*

THE MILITARY FORCES OF THE CROWN — EMPLOYMENT OF INDIAN TROOPS.—OBSERVATIONS.

Lord SELBORNE rose to call attention to the question whether the Indian troops excepted from the Vote recited in the Preamble of the Mutiny Act can, consistently with Constitutional Law, be employed during time of peace elsewhere than in Her Majesty's Indian Possessions without the previous consent of Parliament?—and said: My Lords, it is not my intention to attempt to make use of the present opportunity to call in question the policy of the step taken by Her Majesty's Government in ordering troops from India to Malta. That is a very important matter, on which, doubtless, a variety of opinions may exist in your Lordships' House, and a matter on which I should be fully prepared, at what I might deem a fitting opportunity, to express the opinion which I may have formed. But, on the present occasion, I think it better to abstain from entering upon any such question of policy. The occasion in respect of which I shall address your Lordships is, as I view it, a peculiar and remarkable one. It has not arisen in a time of war, and therefore it does not give rise to any considerations peculiar or appropriate to such a state of circumstances. It has not arisen at a time when Parliament was not assembled, and when the Government could not advise the Sovereign to have immediate recourse to the counsels of Parliament. It has arisen when Parliament is in full Session, and when there has been no obstacle whatever to any communication which might be constitutionally right and proper between the Queen and Her Parliament. No doubt there have been occasions in the past history of this country—and such occasions may occur again—when, in consequence of alarm of war when Parliament was not accessible, extraordinary measures might not only be justified, but it might have been the duty of the Government at the time to take them; and in such circumstances, if those measures were wisely and necessarily taken, the Government might rely on the ratification of Parliament on the first opportunity after its re-assembling. But that is not the state of circumstances in this case. Neither can the case be represented as one in which there has been any inadvertence or oversight in any sense whatever on the part of the Government. The facts are these. The usual preliminary Votes having been taken, the annual Mutiny Bill, founded on the Vote of Men for the Army, passed the House of Commons on the 29th of March last. Before that time your Lordships will remember a change had occurred in the composition of the Government, which I cannot be far wrong in presuming to have occurred after the measure now under consideration had been decided upon by the Cabinet. On the 1st of April, in compliance with the requisition of the Act of Parliament relating to the Reserves, a Message was brought down from the Crown which communicated, in the proper and Constitutional manner, the measure which the Sovereign, on the advice of Her Ministers, had taken for calling out those Reserves; and I need not state to your Lordships, that, if Her Majesty's Government had not thought that this other measure, which then either had been resolved on or was in immediate contemplation, was one that needed no communication to Parliament, it is hardly possible that a communication respecting it should not have been made simultaneously with that relating to the Reserves. My Lords, no such communication was made. Both Houses of Parliament adjourned on the 16th of April for an unusually long period, and on the same day the Royal Assent was given to the annual Mutiny Act. Immediately afterwards the country became aware that the Government had given orders that, I think, seven regiments of Native troops should be sent from India to Malta. Naturally, as soon as Parliament met, attention was called to that subject; and Parliament was informed, in the most authoritative manner, and by one of the most authoritative organs of the Government, that this was an order

> "strictly within the proper Constitutional Prerogative of the Crown, and one which Her Majesty has as much right to give as to order any portion of British troops now in England to proceed to Gibraltar or Malta, or anywhere else;" and was subject to the control of Parliament only like "all movements of British forces"—namely, by means of "the right of withholding or challenging the Supplies asked for the purpose."—[3 *Hansard*, ccxxxix. 1435]

Again—

> "Under any circumstances, we should not have thought it our duty—even if we had foreseen that the matter would become public within so short a time—to have made a communication to Parliament with respect to it until the arrangements had been completed."—[*Ibid.* 1436.]

My Lords, I ought not to omit to mention that the same authority, while admitting that it would be an infringement of the Bill of Rights to bring Native troops from India to England, thought that those troops might legally be called on to serve in the Channel Islands. On the day following, this further announcement was made in the House of Commons—

> "The Indian Government has for the moment provided what is necessary for the fitting out of the Expedition, and the payment of the troops."

(Adding, that a Supplementary Estimate would be prepared for re-payment, and to provide for future expenses). In *The Gazette of India* of April 20 appeared a notification regarding the force to be despatched for service beyond sea, laying down rules for its pay, equipment, &c.—

> "Regiments of Native Infantry will draw extra batta and free rations, or ration money at 3 rupees and 8 annas per month will be allowed to rank and file while on foreign service. Forage will also be allowed to horses and ponies of Cavalry, &c. The commanding officers will be authorized to advance three months' pay to the troops for service."

That was, of course, out of the Indian Revenues. My Lords, it appears to me that even if I could not challenge this measure on the strictest grounds of legality—as I propose to do—I should be well entitled to speak of it as "unconstitutional," in the sense attributed to that term by the great Constitutional historian, Hallam; who, calling in question the strict historical accuracy of the statement in the Bill of Rights, that the maintenance of a standing Army in this Kingdom had always been against the law, added that it was at least unconstitutional in this sense—that it was "a novelty of much importance, tending to endanger the established law."

But, my Lords, I challenge this measure both on the ground that it is unconstitutional in that wider and larger sense of that term which may be taken to include things not against the strict letter of the law, and also on the ground that it is against the very letter of the law. The two propositions which I shall endeavour to establish before your Lordships' House are these—First, that the previous consent of Parliament is necessary before any Imperial Forces in addition to the 135,452 men voted for the year commencing April 1, 1878, and mentioned in the Mutiny Act of this year, can be employed in time of peace elsewhere than in India, whether they be Indian troops or any other; and, secondly, that under the India Government Act of 1858 the Indian Revenues cannot be legally used, unless in the particular cases excepted by that Act, without the previous consent of Parliament, for the payment of Indian Native troops serving out of India; and that such use of those Revenues is not made legal by any intention on the part of the Government to ask Parliament for repayment. These are the two propositions on which I take my stand. My Lords, to avoid any misapprehension, I may observe that, when I use the words "Imperial Forces," and say the previous consent of Parliament is necessary for the increase of these Forces serving out of India beyond the number mentioned in the Mutiny Act, I, of course, exclude every local Force in the nature of a Militia, or by whatever other name it may be called, in any of Her Majesty's Colonial or Foreign Possessions, which is not movable at the pleasure of the Crown. And, when I speak of the previous consent of Parliament, I do not mean only a consent signified by an Act of Parliament, or any formal or technical mode of consent; but I mean anything which, having regard to established Parliamentary and Constitutional usage, is habitually accepted as a sufficient Parliamentary consent. With those explanations, I confidently affirm the soundness of the propositions I have advanced. And, my Lords, I attach great importance to the word "previous," in my propositions; because, whenever by law or by the Constitution, the consent of Parliament is required, that consent, if you do not mean to make the obligation illusory and nugatory, must be sought for beforehand whenever it can reasonably be so sought. Of course, the safety of the State must outweigh all other considerations; and if it were not reasonably possible to ask the consent of Parliament before the thing was done, then, the thing being proper in itself, Parliament would doubtless condone the proceeding and ratify the act. But, wherever it is reasonably possible, it is of the first Constitutional importance—it is of the most urgent moment—that when the consent of Parliament can be obtained beforehand, the asking for it should not be deferred to whatever time may suit the convenience of the Government. There is another reason why the consent of Parliament should be "previous"—founded, as I understand it, first, on the manner in which Parliament from year to year gives its sanction to the raising and maintaining the Forces it authorizes; and next, on the form and manner in which that authority is now expressed and embodied in the Mutiny Act. The authority is given, in the first instance, by the Vote of that Body which has command over the public purse, and which votes for the year commencing on a particular day and ending on another day, over which the annual Vote runs, and over which the Mutiny Act also extends, a certain defined number of Men, "not exceeding" so many, who shall be maintained as the Army of the Crown. The words "not exceeding" express a plain prohibition, as far as the terms of that Parliamentary consent go, of any excess in addition to the number then sanctioned by Parliament, which Parliament may not afterwards, in the usual and Constitutional manner, authorize. Until a Supplementary Vote is asked for, and granted, any number exceeding that limit is a direct transgression of the terms in which Parliament has given its consent. And, although that exact form of words is not transferred into the Mutiny Act, yet the affirmative form of that Act amounts in substance to the very same thing; and, as I shall be prepared to show when I come to comment on that Act, it excludes by necessary implication any excess of the number therein mentioned which Parliament may not have authorized. Therefore, both by the letter of the law and on the Constitutional principle, the consent of Parliament is necessary before such a thing can be done; and it is the duty of the Government to obtain that consent before doing it.

How, my Lords, am I to establish the propositions I have advanced? I am content to adopt what was said by Mr. Pitt, in 1794, on the landing of Hessian troops at Portsmouth—

> "In such a case there were only two principles to be proceeded upon—the written law, or the known practice and established usage of Parliament."

I think I shall be able to show that both the written law and the established usage of Parliament are against what has been done in this case.

My Lords, first as to the written law. The Bill of Rights, if technically construed—if construed without the application of the Constitutional principle which underlies it, and without regard to the Constitutional interpretation it has received—might not, perhaps, be in the mere letter of its terms sufficient to prove my case; yet, it is so connected with the foundation of that case, and with the whole history of the Constitutional practice that has resulted from it, that it is impossible not to mention it prominently and in the first instance. I refer to the famous declaration in the Act of Settlement of 1689—

> "That the raising or keeping a standing Army within the Kingdom in time of peace, unless it be with the consent of Parliament, is against law."

My Lords, you observe the words "in time of peace." My notice has reference to a "time of peace," and I am not now going into the question how far in time of war the application of that prohibition is co-extensive with its application in time of peace; but you cannot look through the documents containing the public history of this country since 1688, without seeing that Parliament has always been most anxious, even in time of war, to conform, as nearly as it possibly could, to the Constitutional principle laid down in the Bill of Rights as applicable to time of peace. The words are "within the Kingdom," which, at least, means the Realm of England—though I should be sorry to construe the words as applicable to England alone; but it may, no doubt, be contended that they had reference to England alone, because, in 1689, the Union of Scotland, and the Union of Ireland, with England, had not been effected, though there were foreign Dependencies, and the Isle of Man, and the Channel Islands. I do not want to enter into that technical argument; but I cannot help calling attention to the fact that, the words of the Bill of Rights having been recited in every Mutiny Act down to the year 1800, the words "within the Kingdom," were then and thenceforth, without any new legislation upon the subject, changed to "within the United Kingdom of Great Britain and Ireland;" and I am much mistaken if I shall not satisfy your Lordships that Guernsey and Jersey had always been considered as included in their proper meaning. I think, also, that I shall be able to show your Lordships, that the Constitutional principle on this point has always been understood to include all the Dependencies of the Crown. What security could possibly be imagined to be derived from a law or a Constitutional principle, which limited the rule as to a standing Army so as to make it apply only to such a standing Army as might for the time being be within the four corners of Great Britain—or, after the Union of Ireland, of Great Britain and Ireland—if there might, at the same time, be a standing Army of unlimited numerical force in other Possessions of the Crown, which the Crown, for its own purposes, might move and dispose of without reference to Parliament? It appears to me quite plain that the public danger, which it was believed would exist if the Crown had the power of keeping a standing Army without the consent of Parliament, never could be provided against on such a limited construction of the Bill of Rights, as would admit of a standing Army being maintained without limit anywhere except in Great Britain and Ireland—even, according to the Government of the present day, in the Channel Islands.

And now, my Lords, let me refer to the Constitutional practice which followed the passing of the Bill of Rights. From 1689 down to the time of the Peace of Utrecht, this country was almost uninterruptedly at war. During those years, there were no numerical Votes and no numbers in the annual Mutiny Acts; but the manner in which Parliament, in the annual Mutiny Acts, then consented to the maintenance of the Forces necessary for the public service, was by declaring that—

> "The present Forces should be maintained and others raised for the safety of the Kingdom and the preservation of the liberties of Europe."

But, in 1714, after the Peace of Utrecht and the accession of George the First, an Act was passed for the regulation of the Army; and it was stated that there was to be—

> "A number not exceeding," &c., "to be kept up on foot for the guard of Her Majesty's Royal person and the safety of the Kingdom, and also a certain number of troops for the

defence of Her Majesty's Possessions beyond the seas belonging to the Crown of Great Britain."

This "certain number" was fixed by a numerical Vote of "not exceeding" so many men, for each Plantation and Foreign Garrison or Possession for one complete year; and the Appropriation Act followed the same distinction. This practice became permanent, and continued for nearly a century, during which the Forces maintained for the defence of the Possessions beyond the seas belonging to the Crown of Great Britain were not numerically defined on the face of any Mutiny Act; but they were numerically defined by annual Votes of the House of Commons, for which distinct and separate provision was made in every year by the Appropriation Act. The whole subject was fully debated in the House of Commons in the year 1717; and from that time down to 1808, in every year, there were separate Votes taken for what it may be convenient to call the "Home Service"—though I shall presently show that much more than "Home Service" was comprehended within it—and for the service of our Foreign Possessions, during the current year; which Votes passed into the several Appropriation Acts. The Mutiny Acts, during the same period, did not mention numerically any Forces, except those which were for what I have called the "Home Service," which, in the Votes, were often described as "for guards and garrisons, and other His Majesty's Land Forces, in Great Britain, Jersey, and Guernsey;" and which, in time of war, always included the Regular troops serving abroad. My Lords, that "Home Service," as you will see very plainly, really meant the whole standing Army of the country, which was kept up for the defence of Great Britain, and also for the maintenance of those Imperial interests of which Great Britain was the centre and the guardian. I wish to show the House for what purpose the troops mentioned in all those Mutiny Acts were kept up. From 1717 to 1866, with very rare exceptions, the Forces mentioned in those Acts were stated to be maintained—

> "For the safety of the Kingdom, the defence of the Possessions of the Crown, and the preservation of the balance of power in Europe."

That shows clearly how mistaken would be the notion, that those numbers were at any time kept up simply for domestic purposes, or as an Army to be employed only in the United Kingdom. It was the whole Imperial Standing Army which was mentioned in those Acts. The Forces for outlying Plantations and Garrisons were kept separate from that Army—they had separate numerical Votes taken, and separate Appropriations made for them, and were not regarded as part of the Imperial Standing Army maintained—

> "For the safety of the Kingdom, the defence of the Possessions of the Crown, and the preservation of the balance of power in Europe."

I do not know why, but since 1866 the "balance of power" has been left out of the Mutiny Acts. That, of course, makes no difference, but I mention the fact. In 1808 the form of the Estimates, Votes, and Appropriation Act was changed, so as to comprehend in one general Vote all Her Majesty's Land Forces for service at home and abroad, except the regiments in the East Indies, the foreign corps in British pay, and the embodied Militia. That Vote included all the Foreign Garrisons, the West India, and other Colonial regiments, and Canada and other Fencibles; and, from that time forward, no separate Vote was taken for Plantations and Garrisons abroad. The annual Votes and Appropriations have ever since followed the precedent of 1808, with variations of form only. Till 1812 no corresponding change was made in the Preamble of the Mutiny Acts. Then, for the first time, there was given in the Mutiny Act of that year the whole number voted—245,996—which in that year included the King's Forces serving in the East Indies, for which a separate Vote was taken. From that time, there has been swept away both from the annual Votes and from the Mutiny Acts the distinction which, from 1714 to 1808, had been made between that which I have described as the Home Army—but which, in a far higher sense, was the Imperial Standing Army, kept up for the defence of the Possessions of the Crown and the preservation of the balance of power in Europe—and the Local Garrisons and Plantation Forces. From that time the whole were consolidated and brought together. I find, that from 1813 to the passing of the Act for the Government of India, in 1858, all the Mutiny Acts followed the precedent of 1812, except that they excluded from the number mentioned "His Majesty's Forces employed in the territorial possessions of the East India Company," but included "the officers and men of the troops and companies employed in recruiting for those Forces." After that date, there were no men employed in the moveable Armies of the Crown, anywhere save in India, who were not included in the number of men voted, and mentioned in every year's Mutiny Act. Since 1858, the same principle has been adhered to, with some differences of expression, which I shall note hereafter. The Votes, the Appropriation Acts, and the Mutiny Act, all continued to refer to the number of men, voted for the year as "not exceeding" so many, excluding the Forces in the territorial possessions of the East India Company. I apprehend, therefore, that if a portion of the latter had in any year been withdrawn from those territorial possessions and sent to Malta, so as to add to the whole aggregate of the number of troops to be maintained under the Mutiny Act, that would have been a plain and distinct violation of the Mutiny Act, and an undoubted contravention of the law. It would have been necessary to go to Parliament, and get a Supplementary Vote, before any of the Forces employed in the territorial possessions of the East India Company could be moved from India and taken anywhere else, except in exchange for an equivalent number, sent instead of them to India. That brings me down to the end of the time which preceded the change, such as it was, which was effected by the Government of India Act; and when I deal with that Act, I shall have to cover the ground of both at once of the propositions, which I told your Lordships it was my intention to maintain.

Before, however, I leave this part of my subject, I should be doing wrong if I did not refer your Lordships to two historical precedents illustrating what I have said, both of which occurred during the last century. In the first place, I shall refer shortly to what happened in 1734. Europe was then engaged in war. Great Britain was not at the time involved in it, but there was great reason to apprehend that this country might become so involved, and Parliament was about to be immediately dissolved. The new Parliament could not meet for a considerable time, and events of the gravest importance might occur in the interval. What did the Government of the day do in that state of things? Did they consider it their duty to dissolve Parliament, and to meet any case of necessity, by making an addition, on their own responsibility, to the Forces, and afterwards applying to Parliament for an Act of Indemnity? No; they took a very different view. They saw that the state of circumstances was such as might make it necessary, in the interval between that time and the meeting of the next Parliament, to raise additional Forces. Accordingly, a Message was sent down from the Crown, asking the consent of Parliament to an indefinite increase of Forces, of which an account was promised to be given to the next Parliament, on the ground of a necessity for taking precautions—

> "During such time as it may be impossible for His Majesty to have the immediate advice and assistance of his great Council."

The King, therefore, having asked beforehand, that both Houses would give their consent to the raising of such additional Forces as might be necessary, both Houses voted Addresses of Assent in answer to the Royal Message. It was thought by many statesmen of that day that even that was too large a power to be entrusted to the discretion of the Crown; but Lord Hardwicke and Lord Chancellor Talbot held that consent might be given by an Address from each House of Parliament, as well as by an Act. The imminence of the danger was held to justify His Majesty's Message, and what followed was covered by the consent given beforehand. That was an example of a clear adhesion to the Constitutional principle for which I am now contending.

Again, my Lords, in 1775, on the breaking out of the American War, Parliament was informed in the King's Speech, on the opening of the Session, that his Majesty had

> "sent to the garrisons of Gibraltar and Port Mahon a portion of His Electoral troops, in order that a larger number of the established Forces of this Kingdom might be applied to the maintenance of its authority."

That was done while Parliament was not sitting, and the proceeding was defended on the ground of necessity;

but it was very much contested whether such a proceeding, without the consent of Parliament, could be justified; and I find that some of the most eminent men of that day supported a Motion for a grave Censure. Among them were Lord Lyttelton, the Duke of Grafton, the Duke of Richmond, and Lord Camden, all of whom insisted on the received Constitutional understanding of the principle of the Bill of Rights. Lord Camden,

> "from the true construction of the letter and spirit united, as interpreted for a series of almost 90 years. . . . drew this obvious conclusion—that no foreign troops could be brought into the Dominions of the Crown of Great Britain without the previous consent of Parliament. . . . It was true," he said, "that the word 'foreigners' was not mentioned in the law; but would anyone infer from that, though it was not permitted to keep a standing Army of natives, it might be wise, constitutional, and legal, to keep on foot a standing Army of foreigners?"—[*Parl. Hist.*, xviii. 811-12.]

He added, that "he was ashamed to dwell on such puerile distinctions." But it does not rest on what Lord Camden said. Other ancestors of noble Lords now in the House expressed similar opinions. The Lord Chancellor of that day, Lord Bathurst,

> "deserting what he called the quibbles of Westminster Hall and the subtle distinctions of lawyers, allowed that the fortresses of Gibraltar and Port Mahon were fairly within the spirit and meaning of the paragraph in the Act of Settlement; and that, in the same sense, too, he understood it applied to foreigners, but to neither in the manner now contended for."—[*Ibid.*, 815.]

He justified the measure on the ground that America belonged to "the Kingdom" in the same sense that those fortresses did, and that, there being war in America, it was not a "time of peace." Even when so defended, the Government of the day, though professing to believe in the strict legality of their act, did not depend upon that justification, or meet the Motion of Censure moved in both Houses with a direct negative. They moved the Previous Question, and in that way, of course, succeeded; and Lord North, the Premier, brought in a Bill, reciting that there were doubts of the legality of the measure, and proceeding to grant an Indemnity for it. That Bill passed through the House of Commons and came up to the House of Lords. In the House of Lords it met with opposition, not from any unwillingness to grant the indemnity, but because it was not thought right to acquiesce in the proposition that there was any doubt as to the law. The supporters of the Government said—"We do not care about it on our part." They were strong and confident both in their majority, and also in their substantial justification for what they had done, when Parliament was not sitting, for the safety of the Realm. They knew, that in so acting, they had incurred no actual peril; and therefore they were content to leave the matter as it was, and to let the Bill be rejected. But history records that, far from taking their stand upon the ground that this was a thing which could properly be done in time of peace without the consent of Parliament, they justified their conduct only because the country was at war; and they were not content to take a negative Vote against the proposition of Censure, but they moved the Previous Question, and pressed forward a Bill for their own indemnity, until they found that it would not pass with the unanimity which in their eyes would alone give it value. These are the precedents, arising before the year 1808, to which I have thought it right to call your Lordships' attention; and, if your Lordships will allow me, I will read a short passage from the speech of Serjeant Adair, delivered in the House of Commons in 1775, because it bears strongly upon the question now under discussion. Serjeant Adair said—

> "It was no answer, to say that, in fact, the number of troops mentioned in the Mutiny Act are only those kept up in Great Britain, exclusive of those employed in the garrisons abroad; because Estimates were every year laid before Parliament, and supplies granted for the express purpose of supporting the troops kept in those garrisons, as well as in Great Britain; and, therefore, the one had the consent of Parliament as well as the other."—[*Parl. Hist.*, xviii. 833.]

Serjeant Adair was a man of considerable reputation in his day; but I am not obliged to rely on his authority, because your Lordships have seen that Lord Chancellor Bathurst, in speaking upon the same question, admitted that Gibraltar and Minorca came within the substance of the principle, and only justified the step taken by the fact that we were then at war.

My Lords, this brings me to what may be called the second division of the subject—namely, that arising out of the legislation for the Government of

India in 1858. Your Lordships are aware that the Act for the Government of India contains a clause of great importance, which bears upon this subject, and on which the second proposition which I have submitted to your Lordship depends. The terms of that clause are as follows:—

> "Except for preventing or repelling actual invasion of Her Majesty's Indian Possessions, or under other sudden and urgent necessity, the Revenues of India shall not, without the consent of both Houses of Parliament, be applicable to defray the expenses of any military operation carried on beyond the external frontiers of such Possessions by Her Majesty's Forces charged upon such Revenues."

It is quite clear that the present case does not fall within the exception stated in that clause. There has certainly been no actual invasion of Her Majesty's Indian Possessions, and, however serious the present emergency may have been considered to be on this side of the world, it would not justify any steps being taken under the other branch of exception laid down in the Act, which the context plainly shows to mean a sudden and urgent necessity with respect to the safety of India. That being the effect of the clause, I will, with your Lordships' permission, advert briefly to its history. The Bill, as introduced, did not originally contain that clause. There had been a clause, not identical with it, in the first Bill introduced in the same year, 1858, by the Government of Lord Palmerston, which was to the following effect:—

> "Provided no such military Forces as aforesaid, or any other military Force hereafter paid out of the Revenues of India under this Act shall, while so paid, be employed out of Asia."

When the change of Government occurred, the late Lord Derby brought in the Bill which afterwards became law. It was, in the House of Commons, that Mr. Gladstone, on the 6th of July in that year, proposed a clause, differing from that which we now find in the Act in this respect—that it proposed to prevent the employment of our own Indian Forces beyond the frontier of Her Majesty's Indian Possessions, except with the consent of Parliament, or in cases of emergency. When Mr. Gladstone proposed that clause, he made use of some expressions which I think it right to read to your Lordships—not so much on account of Mr. Gladstone's authority, but because of the assent given to them by the then Secretary of State for India, the present Earl of Derby, who had charge of the Bill. Mr. Gladstone insisted on the danger of leaving it

> "in the discretion of the Executive to make use of what might be called extraneous finance and an extraneous Army for the purpose of making war, the expense of which was to be hereafter charged on the British people."—[3 *Hansard*, cli. 1011.]

Lord Stanley (accepting the clause with only a slight verbal change, suggested by the present Lord Chancellor, then Solicitor General) said that Mr. Gladstone "had said nothing to which he was not prepared to assent." When the Bill came up to this House on the 19th of July, the late Lord Derby proposed that the form of the clause should be changed, so as to make it stand as it is at present. It had been objected to in the House of Commons by Lord Palmerston, and in the House of Lords it was still objected to in its altered form by several Peers then in Opposition, including my noble Friend behind me (Earl Granville), as interfering, more than was safe or desirable, with the Prerogative of the Crown: and that for a very plain reason—namely, because it would operate, not in time of peace only, but also in time of war. In answer to those objections, Lord Derby said—

> "The Crown would be at full liberty to employ those Forces in any quarter of the globe for which, by the terms of their enlistment, they were eligible. It being the undoubted Prerogative of the Crown to make war and peace, the constitutional check upon the exercise of that Prerogative was the sanction of Parliament, by the granting of pecuniary resources. . . . The clause did not prevent the Crown from making use of the Indian troops; subject only to this—that, as a general rule, the expense of those troops must be defrayed by Parliament; and the same constitutional check, therefore, was imposed on the Crown with respect to troops serving in India which was imposed with respect to troops serving in every other part of the globe."—[*Ibid.* 1697.]

The noble Earl the present Prime Minister had spoken in the House of Commons to the same effect. I do not see a word there to which reasonable exception can be taken, or which is inconsistent with either of my propositions. There is not a word there about moving troops from India in time of peace—the whole argument was, that in case of war the Crown would be able to use these troops out of India, subject to the control which Parliament might exercise by refusing Supplies; and that any troops which might be so moved would be subject to all the Constitutional checks and safeguards which would be applicable to any other part of Her Majesty's Forces serving beyond the limits of India.

What has been the practice since the time to which I am referring? I find that the Votes, the Appropriation Acts, and the Mutiny Acts, have all mentioned numerically the whole Army of the Queen, excepting such part of the troops as were serving in the Indian Possessions of the Queen; in addition to which, care has been taken to let Parliament know how many European troops were, from year to year, actually serving in India. It is remarkable that, almost as if anticipating the present discussion, and giving beforehand a crucial answer to the arguments that might be used in support of the course which has been taken, the language of the Mutiny Acts underwent in 1863 a change which has been continued down to the present year, and from that date gave the numerical total of the Forces serving, or to serve, for the following year, "exclusive of the numbers actually serving within Her Majesty's Indian Possessions"—as if the expressions formerly used had been too ambiguous. I do not suppose that the present question was foreseen; but the alteration in the terms is useful, as showing distinctly the sense of Parliament, that the number voted was meant to include all Her Majesty's disposable Forces, which could be used for the purposes of a standing Army, except such troops only as, from time to time, might be actually serving in India; and that, when Indian troops might be moved to places other than India, the fact should be made known to Parliament, so that, by means of Supplementary Votes, or otherwise, a Constitutional and Parliamentary sanction might be obtained for their employment and payment.

My Lords, I now come to the action which has been taken—for action has been taken—on this view of the law; and we are not left to mere abstract arguments with reference to this matter. My contention is, that according to the terms of the Mutiny Act, it is altogether contrary to law to exceed, elsewhere than in India, the number of men actually voted for the service of the year, and mentioned in the Mutiny Act, and I shall endeavour to prove this from what has been said and done. I also contend that it is against the express words of the 55th clause of the India Government Act to use the Revenues of India without the consent of Parliament for the payment of these troops; and that it is no answer on the part of the Government to say that they intend, at some future time, to ask Parliament to sanction, or to refund that payment. What has been done is opposed to the letter of both the Statutes to which I have referred, and it is also opposed to the great and broad Constitutional principle which underlies them both. It cannot be said that what has been done has resulted from inadvertence or oversight; inasmuch as on three previous occasions the same question has arisen in Parliament, and with one uniform result. The first occasion was in the year 1863—the very year in which the words "Exclusive of the numbers actually serving in India" were first inserted in the Mutiny Act. In that year a Maori outbreak occurred in New Zealand, and Sir George Grey, the then Governor of the Colony, sent a message to the Duke of Newcastle, suggesting that it would be very useful if some Sikh troops could be sent from India to his assistance, the case being one in which help was urgently required. The Government thought that the application was reasonable, and it was agreed that the troops should be sent. On the 23rd of July a debate arose in the House of Commons on the proposal to send 3,000 Indian Sikh troops to New Zealand. In the course of the debate, my right hon. Friend Mr. Forster used words which I quote, not as of authority, but because they produced their effect. He said—

> "He did not object to the employment of Sikh troops in New Zealand; but it appeared that, by little and little, the Crown was getting the disposal of a much larger Force than was voted by Parliament; and it was highly important that the relations in which we stood to the Indian Army should, in this respect, be clearly established and understood. The subject was noticed when the Bill for amalgamating the Indian with the Queen's Army was under discussion; and the difficulty was foreseen by the Chancellor of the Exchequer, who introduced a clause to meet it. It was a high breach of the privileges of the people to maintain a standing

Army without the authority of Parliament; and the precise number of men of which the Army was to consist was annually voted by the House. But if they permitted the employment, without remark, of Indian troops out of India, although there might appear reasons for it, the result would be to place at the disposal of the Crown an Army of 100,000 or 200,000 men beyond the Force directly sanctioned by the House."—[3 *Hansard*, clxxii. 1291.]

Lord Palmerston, who answered Mr. Forster, justified the proceeding as one of urgency; the expense of which, if not met out of the money already voted, or by the Colony, would be asked for from Parliament in the next Session. Lord Palmerston showed a bold front to Mr. Forster on that 23rd of July; and on the 25th the Duke of Newcastle sent the following despatch to Governor Sir George Grey:—

> "On learning the apprehensions which are entertained by yourself and your Government, I wrote without delay to the Secretaries for War and for India, requesting that you might receive immediate assistance. I have every reason to hope that a European regiment will be at once sent to you from Ceylon and two Sikh regiments from India, unless, happily, the occasion for their services in New Zealand shall have passed away before they can be embarked."

But what was the result? It is not difficult to see, that, between the 23rd and the 27th, the Cabinet must have had an opportunity of deliberating on what had been said in Parliament; and, on the 27th of July, two days after his first despatch, the Duke of Newcastle wrote again to Sir George Grey in these altered terms—

> "With reference to my despatch No. 78, of the 25th inst., I have now to acquaint you that Her Majesty's Government have not considered it desirable to send from India the two Sikh regiments for which you have applied. The Governor General for India has, however, been desired to despatch immediately to the Colony two of those regiments which would, under other circumstances, have returned home during the present season."

I am now going to quote the authority of a man whose name must have considerable weight with noble Lords opposite, because of his great reputation with them on military matters, and because of his public services—I mean General Peel. General Peel, on the 9th of March, 1863, speaking in the House of Commons, took exception to the omission from the Vote of men, then proposed by Sir George Lewis, of two regiments of Indian Native Infantry employed in China; and he moved to reduce the money Vote so far as it covered their pay and clothing. He said—

> "His object was to prevent any Government employing a Native Indian Army in China at the charge of this country, without the House knowing and having control over the expenditure. He wanted the right hon. Gentleman (Sir George Cornewall Lewis) to add these two regiments to the number to be voted, and then the House would know what the actual Force was; for it was quite evident that the number of 148,242 set down in the Estimates was not the total Force."—[3 *Hansard*, clxix. 1277.]

Nothing was done in consequence of that at the time; and, in the following year, the Vote, as again brought forward, still omitted those two regiments from the number of men to be voted. It was stated, however, on behalf of Her Majesty's Government, that there was no objection to including them in the Estimate; and a statement of their actual number was laid before the House. On that occasion General Peel said—

> "Last year, when the Indian troops were first noticed in the Army Estimates, and a sum of money was taken for their payment, no number was given, and there were no means of ascertaining their number. . . . The result of what then took place was that this year not only the amount of cost, but also the number of men, was given. Certainly, if the control of the House was necessary in one case, it must be in the case of the Indian Native troops. [Colonel SYKES: 'Serving out of India.'] If any part of the Native Indian Army could be employed without a Vote of that House, those troops were altogether removed from Parliamentary control. In the case of ordinary troops there were two checks—the Mutiny Act, and the money voted by Parliament for the pay of the troops. But neither of these checks applied to the Indian troops. Native Indian troops were not liable to the Mutiny Act, being expressly excluded. . . . and were ruled by Articles of War expressly framed for India; and the House had no control over Native troops through its privilege as to money Votes, because those troops were paid, in the first instance, by the Indian Government, and the expenditure never came under the notice of the Imperial Parliament till long after it had been incurred."—[3 *Hansard*, clxxiii. 1431.]

The consequence of what then occurred was this—that from 1865 to 1872—the last occasion on which there has been any employment of Native Indian troops out of India—the number of those troops to be so employed in each year was regularly voted by Parliament; though they were not included in the numbers mentioned in the Mutiny Acts of those years. It is true that the numbers were small; but the smaller the numbers, the more important, as illustrating the principle. Lord Hartington, Sir John Pakington, and Mr. Cardwell, were the successive Secretaries of State who moved those Votes. In 1865 the number of Indian Native troops voted was 178. They were employed in China and the Straits Settlements. The same number was voted in 1866 and in 1867. In 1869 the number was 880, and, in the two following years, 1,760. The Army Votes in 1866 were in this form—and, in such matters, form is of importance—

> First:—"That a number of Forces, not exceeding 138,117 men, be maintained for the service of the United Kingdom of Great Britain and Ireland from the 1st of April, 1866, to the 31st of March, 1867, inclusive."

There, my Lords, "the service of the United Kingdom of Great Britain and Ireland" means the service of the standing Army, as voted by Parliament, for all Imperial purposes. The second Vote followed:—

> "That a number, not exceeding 178 of Native Indian troops belonging to Her Majesty's Native Indian Army, be maintained beyond Her Majesty's Indian Possessions."

In the present year, there is only one Vote, for a

> "total number of men, including the staff of the Militia Forces on the Home and Colonial Establishments of the Army, exclusive of those serving in India, 135,452;"

and that number has passed into the Mutiny Act of this year,

> "exclusive of the number actually serving within Her Majesty's Indian Possessions."

And now, my Lords, I come to the latest precedent. It is that of 1867, and it arose out of the Abyssinian Expedition. The Native Indian troops employed in that Expedition were so employed during a time of Recess, without the previous, though with the subsequent consent of Parliament. They were, from the first, paid out of Indian Revenues. But what occurred? An Autumn Session was held for the express purpose of getting that consent. In the course of the discussion which arose in November, 1867, on the Message from the Crown, Mr. Gladstone, referring to the 55th clause of the India Government Act, said—

> "This was the very thing the Act of 1858 was passed to prevent. If the application of the Indian Revenues, by way of advance, be not prohibited by the clause as it stands, the clause is little better than a dead letter."

Two days later, on the 28th of November, Sir Stafford Northcote moved Resolutions for the payment of the Indian troops employed on that Expedition out of Indian Revenue. Sir Stafford Northcote, who is always as frank as the interests of the public service will permit, but whose frankness differs in its manifestations under different circumstances, said, in moving these Resolutions—

> "I am bound to say, wishing to be as frank as I can with the Committee, that, although the question is by no means free from doubt, I am inclined to think, upon a very strict interpretation of the Act, it may be held that what we have done is outside the letter of the law. The point on which we are challenged, so far as I understand, is this:—In the application of the Revenues of India to the purposes of the Abyssinian Expedition, as far as it has hitherto gone, we have been proceeding upon the view, not to their ultimate application without the consent of Parliament, but only to their advance for the purposes of an Expedition, which advance will be repaid by subsequent payments from the Imperial Revenue. I am inclined to think that the wording of the clause would, strictly speaking, prohibit that proceeding."—[3 *Hansard*, cxc. 359.]

I certainly regard that as a very frank admission, indeed. Your Lordships will, I think, be of opinion that there has been no occasion on which the same question has arisen in so practical or important a form as on the present occasion; but, on every occasion which the question has arisen, the result has been the same. Lord Palmerston, a man as inflexible of purpose as any man could be, abandoned the intention he had formed, as I have shown, when he gave it further consideration, because he could not reconcile that intention with the existing law. General Peel, for several successive years, caused Votes of the House of Commons to be taken for the numbers of the Native Indian troops employed out of India; and Sir Stafford Northcote admitted that the payment of Indian troops serving beyond the limits of Her Majesty's Indian Possessions out of Indian Revenues, even by way of an advance intended to be afterwards repaid, was, strictly speaking, prohibited by Act of Parliament; although he pleaded, by way of extenuation, that others had done the same thing before, and that it was always the intention of Her Majesty's Government to come as soon as they could to Parliament to obtain assent to what had been done.

This, my Lords, is no mere matter of form—it is a matter of principle. If that principle be violated, the effect may be to take away the practical securities intended to be given to the nation by the Bill of Rights. It is no answer to plead the general control which Parliament has in the matters of Supply. It is no answer to say that the Government has a great majority, which is sure to approve their action, and that it little signifies whether that approval is asked sooner or later. It is of the very essence of the Constitution and of the safety of our civil government that the power of the majority should not be so strained; and that, when other checks have been provided, you should not rely merely on the power of a majority. And, my Lords, if I could give no other reason, I would insist upon this—that the observance of these checks and rules enables Parliament to form an unprejudiced judgment upon the measures which it is proposed to take, and that their neglect deprives it of that power. When troops have been actually employed, they must be paid; and when advances have been made out of the Indian Revenue, Parliament has no choice but either to leave the charge on that Revenue, or to provide for its repayment. My Lords, I shall not dilate further upon that subject. I prefer to quote words by no means without application to the present occasion, uttered by one who was able to give much more forcible expression to his views than I can, and by one of much higher authority. The words are these—they were used in the House of Commons in the debate upon that very Abyssinian Vote—

> "It is not any present danger I fear, as resulting from the present step; but, having regard to the future, I do not like India to be looked upon as an English barrack in the Oriental seas, from which we may draw any number of troops without paying for them. It is bad for England, because it is always bad for us not to have that check upon the temptation to engage in little wars"—

[I suppose it would be equally so as to great wars]—

> "Which can only be controlled by the necessity of paying for them. But it is bad, very bad, for India; because if there were a weak, or a timid, or too facile, a Governor General in that country at the time of any similar operation, you might have India seriously denuded of troops in order to suit the Imperial interest, while there would be this precedent to prevent you from censuring any officer who pursued such a course. I think that the precedent of the Persian War, which has been mentioned in this discussion, is applicable in more respects than one; because, if I am not mistaken, at the time the Mutiny broke out, part of the troops which should have been guarding India were absent on that war. Now, this is a warning which we ought to lay to heart. If this garrison which we keep in India is—as all Indian authorities assure us—necessary for maintaining that country in security and peace, that garrison ought not to be rashly diminished. If, on the other hand, it is too large, and India can for any length of time conveniently spare those troops, then the Indian population ought not to be so unnecessarily taxed."—[3 *Hansard*, cxc. 406.]

My Lords, I am not sure what number of troops were employed in the Abyssinian Expedition, but I think they were not more than are now proposed to be removed from India. The Member who uttered these remarkable words in 1867 was a man of no small weight—it was Her Majesty's present Secretary of State for Foreign Affairs.

My Lords, I have now brought my remarks to a close, but I will say a few words in justification of the course I have taken in not concluding with a Motion. It is a difference between the practice of this House and that of the House of Commons, not unattended with some advantages, that we may raise discussions which they cannot, unless they conclude with a Motion. If, in the public interest, it seemed necessary to take the same course here, I should not be in the least afraid to undertake the task of putting my propositions in the form of a Motion. But, my Lords, on this occasion, it has appeared to me, and to the Friends with whom I act, that the public interest which we have in view may be effectually promoted without any Vote of this House; and, by adopting this course, I hope, in the first place, we shall avoid anything like controversies on mere matters of form or of words. This is a question about matters of substance, not of words. In the second place, from the nature of the question, from its very important bearing, not only at the present time, but it may be for all time, upon the interests of the country, I think there is much convenience in a form of proceeding which avoids imputations of personal censure or of Party attack; and I am the more satisfied with the course I have adopted because I infer, from what is passing elsewhere, that if I had put it in the form of an affirmative proposition, I should have been met, not by any negative issue, but by a very general reference to existing law and practice, informing me, at the same time, that Her Majesty's Government consider it to be

> "unnecessary and unexpedient to affirm any Resolution tending to weaken the hands of Her Majesty's Government in the present state of Foreign affairs."

Well, I do not ask your Lordships to affirm any Resolution "tending to weaken Her Majesty's Government in the present state of foreign affairs;" but I have thought that the occasion was one which absolutely demanded, from those who had Constitutional law and principle at heart, protest and criticism. That protest I have made; that criticism I have offered; and I hope, and confidently believe, that they will not be unattended with some public advantage and utility, now and hereafter.

THE LORD CHANCELLOR: My noble and learned Friend (Lord Selborne) has called your Lordships' attention to a subject of much interest and importance; and I own I cannot but rejoice that a subject which has been so much misunderstood out-of-doors, and which, I am afraid, has been imperfectly considered, even by my noble and learned Friend, has been brought at once under the light of public discussion. In order that your Lordships may see that I am at one with the noble and learned Lord as to what is the point now to be examined, let me remind your Lordships of those views of the question, which he properly stated he did not mean to approach, and upon which I do not mean to make any observations. He said that he did not on this occasion challenge or propose to argue the policy or the expediency of the moving of any part of the Native Indian Army for employment out of India. My Lords, that is a subject of great interest. It is a question upon which different opinions may be entertained. When it is thought fit to raise that question in this House, Her Majesty's Government will be prepared to state the reasons, in point of policy and expediency, upon which they have acted; and they entertain a confident hope that they will have the full assent of your Lordships, as they believe they have the assent of the country, to the step they have taken. My Lords, another subject which my noble and learned Friend said he should not refer to, and to which I do not mean to refer, is the question of the provision to be made by the other House of Parliament for the maintenance of the troops which have been moved to Malta. Upon that subject, Her Majesty's Government have stated, and stated in the most emphatic manner, that their intention is to apply to Parliament—to lay before the other House the expenditure which would be incurred by the removal of these troops, and to ask the assent and support of the other House for that expenditure. There is no Government which, in any time of emergency or difficulty, has not over and over again had to face a question of this kind. There is no Government in this country which has not at times incurred an expenditure or made an expenditure of money which, in the first instance, is not authorized, and for which they have had to come to Parliament afterwards for assent to an expenditure already made or already incurred. My Lords, whether that expenditure is only incurred, or whether it is made, for temporary purposes, out of a fund which has afterwards to be recouped, the principle is the same—the Government have done the thing upon their own responsibility and risk—they have to come to Parliament and state what has been done, and they have to ask, retrospectively, the consent of Parliament to their act. Upon that point we have very high authority, beyond which I have no desire to go. In the course of the last financial year, Her Majesty's Government came down to the House of Commons for its sanction to an expenditure, beforehand, of a very considerable sum of money. That step of the Government was challenged by persons "elsewhere," who objected to what was done. It appeared to many to be a safe and judicious course to ask for the assent of Parliament to an expenditure which might become necessary on a sudden occasion with regard to which no delay could be brooked. An objection was, however, taken, and the Government was told that there was a higher and better principle upon which they ought to have acted. It was said in the debate, in the other House, on the 8th of February—

> "He (the Chancellor of the Exchequer) says a sudden emergency may arise, and he may want transports and other means to meet the emer-

gency. If a sudden emergency did arise, the Government must know their duty too well to wait for a Vote of this House. No Government worthy of its place but would, upon a sudden emergency, give the orders which the circumstances of the time might demand, and then come down at the earliest moment in their power to ask the concurrence of the House in what they had done. Undoubtedly, that is the principle on which all Governments have acted in this country, a principle which has never been challenged."—[3 *Hansard*, ccxxxvii. 1370.]

That was the opinion as to the Constitutional course that ought to be taken given by the late Prime Minister (Mr. Gladstone), and that is the course we have taken.

My Lord, these questions being put out of the ambit of our discussion, I come to what, after all, is a dry and bare legal and Constitutional question, although it has taken two hours by the clock to call your Lordships' attention to it. I think it is a simple question; but, like every other question, it may be overlaid with matter — and, if it be, it is necessary to strip away and to put aside all the irrelevant and perverted matter by which a simple and plain question has been covered, and to ask your Lordships' judgment upon the question as it stands divested of all those irrelevancies. The Notice of my noble and learned Friend is a very simple one; it affirms or suggests one proposition which may be expressed in very few words. The proposition which the Notice expresses is this—that it is unconstitutional in time of peace to remove any part of the Native Army of India out of Her Majesty's Indian Possessions without the assent of Parliament. That is a very short proposition, and one which, once that all which is irrelevant has been explained and discarded, may be determined without any great length of argument on the one side or the other. That is the proposition of which my noble and learned Friend has given Notice.

But before I address myself to it, I must call attention to what I cannot but consider a remarkable occurrence which has come under our notice. It was about a week ago that the noble Earl the Leader of the Opposition in this House (Earl Granville) gave a Notice on behalf of my noble and learned Friend, who was then absent. The next evening my noble and learned Friend came down and said he had been given to understand there was a similar Motion coming on in the House of Commons, so that there would be a simultaneous discussion in both Houses of Parliament upon this subject, and it was the opinion of himself and of those who acted with him that it would be better to have it upon the same evening; and, accordingly, the debate here was fixed for this evening. I have no right to say what is being done at this moment in another House of Parliament; but I have in my hand a proposition which has attached to it the name of an eminent Leader of the Liberal Party; and this is stated to be the opinion which he is prepared to maintain—

> "The Marquess of Hartington:—Military Forces of the Crown.—That by the Constitution of this Realm no Forces may be raised or kept by the Crown in time of peace, without the consent of Parliament, within any part of the Dominions of the Crown, excepting only such Forces as may be actually serving within Her Majesty's Indian Possessions."

Of course, the first observation which must occur to your Lordships is this—that if this is the proposition which is to be submitted to the other House of Parliament, it is entirely a different one from the proposition contained in the Notice before us. It is the first occasion in Parliamentary history on which a simultaneous discussion has been fixed for the two Houses to discuss upon the same evening two different questions. It is difficult to see what virtue there can be in having the discussions on the same night. One proposition may be right, or the other may be right, or they may both be wrong; but they are perfectly different propositions. The proposition of my noble and learned Friend relates to the employment of troops which are raised with the consent of Parliament. The proposition of Lord Hartington relates to the raising of troops without the consent of Parliament. The noble and learned Lord, having probably had his attention drawn to the great anomaly of Leaders of the Liberal Party advancing different propositions in the two Houses, has endeavoured to lead your Lordships up to two other propositions which he now puts forward as covering the whole ground. So they may do; but these were not the propositions of which he gave Notice. He gave Notice of a simple proposition implying the want of power to move Indian troops out of India without the consent of Parliament. A noble Lord is affirming "elsewhere" that, looking broadly over the whole of Her Majesty's Dominions in every part of the world, in no corner in any one of them can any troops be raised or kept which can be called troops of the Crown unless they are included in the number of men mentioned in the Mutiny Bill. I must, therefore, in the first place, say a few words about the proposition of the Marquess of Hartington—because the noble and learned Lord has shown more or less willingness to adopt it. Where is the authority for the proposition that the consent of the English Parliament must precede the raising of troops in any and every portion of the Dominions of the Crown, no matter how those troops are to be maintained? I say nothing about a time of peace or a time of war, for a separate discussion would be required to determine what is a time of peace or a time of war. The noble and learned Lord found great difficulty in explaining the exact meaning of the Bill of Rights, and I think there is very great difficulty from his point of view. It says that maintaining an Army in time of peace within the Kingdom without the consent of Parliament is illegal, and at that time "the Kingdom" was England. After the Union with Scotland, "the Kingdom" became Great Britain. After the Union with Scotland, and before the Union with Ireland, we know that throughout the last century Forces were kept up by the Crown in Ireland without the assent of the English Parliament. Does anyone say that that was a violation of the Bill of Rights? Since the Union with Ireland, the wording of the Mutiny Act has become "the United Kingdom of Great Britain and Ireland;" and the understanding between the Parliament and the Crown has been declared to be that there is to be no standing Army kept up within the United Kingdom of Great Britain and Ireland in time of peace without the consent of Parliament. That is the interpretation which Parliament yearly puts upon the well-known clause of the Bill of Rights, as applied to the present state of affairs. Does the noble and learned Lord mean to say that Malta is part of the United Kingdom of Great Britain and Ireland? Where, then, is the authority for that proposition of the Marquess of Hartington?

I do not stop there. I take the Mutiny Act, and in the 4th clause of the Act I find a most clear distinction drawn between troops in a Colony or Dependency of the Crown which cannot serve in the United Kingdom and those which can serve in the United Kingdom. The 4th clause provides that all officers and soldiers of any troops—of any "troops," observe—mustered and in pay, which shall be raised and serving in any of Her Majesty's Dominions abroad, or in places in the possession of, or occupied by, Her Majesty's subjects, and under the command of any officer having any commission immediately from Her Majesty shall be subject to the provisions of the Act and of the Articles of War. The troops may be raised in any Colony or Dependency. The clause does not stop there; but it says that if, having been made prisoners of war, they be sent to Great Britain or Ireland, although they are not to serve therein—because they would be in excess of the number sanctioned by Parliament—the clauses with regard to billeting are to be applicable to them. Therefore, it is assumed that there may be in all other parts of the Dominion of the Crown out of the United Kingdom, a raising of men which shall be Forces of the Crown, which may serve under the Queen's Commission, which shall be subject to the Articles of War, which may not come into this Kingdom to serve, but which, if made prisoners, may be billeted, although they may not serve.

But the Motion of the Marquess of Hartington is an impeachment against the whole system of procedure in our Colonies. There is scarcely one of them in which there have not been such Forces. The noble and learned Lord said he did not speak of local Forces which might be raised in the Colonies, whether as Militia or under any other name, but which could not be moved out of the places where they were raised. But what has the removability of troops to do with the Motion of the Marquess of Hartington?

Viscount POWERSCOURT: This is the fifth time the noble and learned Lord has referred by name to a Member of the House of Commons. I should like to know whether he is in Order?

The LORD CHANCELLOR: I am perfectly in Order.

Earl GRANVILLE: The Question should probably be, whether the noble and learned Lord is in Order in discussing a Motion which is to be made in the other House?

The LORD CHANCELLOR: I do not in the least know what Motion is to be made in the other House of Parliament; but I said I had had before me what I understood to be Lord Hartington's opinion on the subject. If the noble Earl is prepared to say that this is not Lord Hartington's opinion on this subject, I am prepared to withdraw all my observations. What, then, is the fact as regards the Forces of the Crown serving under the Queen's Commission? I find that there are such Forces in Canada, New South Wales, Victoria, New Zealand, British Guiana, Jamaica, Honduras, St. Vincent, Grenada, Antigua, Dominica, Gambia, Sierra Leone, and St. Helena—and all of these are Forces of the Crown not included in the numbers mentioned in the Mutiny Act. They assume various forms. Sometimes they are in the form of a standing Army; sometimes in the form of a Militia. They are called out from time to time, and they are under the command of officers bearing Her Majesty's Commission. The service is compulsory; and with regard to one of the places mentioned—Canada—they number, I believe, in one year something like 45,000, and they are bound to serve either within or without the Dominion. With regard to some of these Colonies—those having Representative Institutions—it is possible that permission may have been given them by the Imperial Legislature to raise Forces of this kind; but I will take the Colonies to which the observation does not apply; and in these Colonies there are Forces of the Crown, without any authority of the Parliament of the United Kingdom, but also without any violation of the Bill of Rights or the Mutiny Act. I now come to the proposition of my noble and learned Friend. ["Hear, hear!"] Yes, but the noble Duke who cheers me appears to forget what has happened. The proposition of my noble and learned Friend is the proposition of which he has given Notice; but the noble Duke forgets that my noble and learned Friend adopted in his speech the other proposition, and it is for this reason that I passed aside to answer that other proposition.

Lord SELBORNE said, that the proposition he had laid down was expressed in its own terms, and if they were to be criticized, it would be better that those terms should be quoted than others.

The LORD CHANCELLOR: My noble and learned Friend has placed a proposition on the Notice Paper, and we understand what that proposition means; but, in his speech to-night, he has expressed two propositions which are not on the Paper. If I understand one of those propositions rightly it is the same, in effect, as that of Lord Hartington—namely, that there cannot be maintained in the Colonies or Dependencies of the Crown any Forces of the Crown except those included in the Mutiny Act.

Lord SELBORNE said, he would repeat the words of his first proposition—

> "That it is necessary to have the previous consent of Parliament before any Imperial Forces, in addition to the 135,475 troops voted for the year commencing the 1st of April, 1878, and included in the year's Mutiny Act, can be employed during the time of peace elsewhere than in Her Majesty's Indian possessions."

He had been careful to explain in what sense he used the word "Imperial," as excluding any local Force not moveable at the pleasure of the Crown.

The LORD CHANCELLOR: Where is the authority of my noble and learned Friend for importing into his definition the word "Imperial," and for saying that "Imperial" troops cannot be maintained?—there is no such expression in the Mutiny Act as "Imperial." That expression has been introduced by my noble and learned Friend in order to found an argument upon it; and he knows that, without the introduction of that word, his argument could not be maintained. The expression is that no "standing Army" can be maintained, and my noble and learned Friend adroitly imports the word "Imperial," in order to get rid of the Colonial argument, which he feels is fatal to his contention.

My Lords, I now come to the Notice of my noble and learned Friend. I have no wish in this matter to gain a mere triumph of words. I am anxious to consider the Constitutional question fairly. I believe that in this House—however we may differ on other points—both sides are anxious to maintain the Constitution of the country. I believe I speak as much for one side as for the other—no one sitting on either side of the House would consent, knowingly, to what would be a violation of the Constitution; and, speaking for Her Majesty's Government, I will say that if they believed for one moment that what they have done—even if carelessly done—had been a violation or straining of the Constitution, they would come at once to Parliament and ask for its indemnity for the act they had committed. But I think I shall be able to show your Lordships to demonstration that there has been no departure from the Constitution. In one respect, and in one respect only, has the act which has been done by the Government transcended the powers they possess—that one respect being the expenditure of money, with reference to which they have expressed their intention to apply to the House of Commons for the purpose of obtaining its retrospective assent.

The transaction of 1775 has been referred to, but nothing could be more irrelevant to the question. There were three distinct features in that case, not one of which is now present. The three distinguishing features of the transaction of 1775 were these—The King garrisoned Gibraltar and one of the islands adjacent by a number of Hanoverian troops; and the question was not as to the movement or employment of troops which were the troops of the Crown, but as to the employment of troops which were not the troops of the Crown. They were the troops of the Elector of Hanover. It so happened that the Elector of Hanover was also King of England, but that did not alter the circumstances of the case. The employment of the troops of Hanover was as much the employment of the troops of a foreign Power as if they had been the troops of France; their employment, therefore, was an unconstitutional act. What was the second feature of that transaction? There was in what was done a violation of the Act of Settlement. It was a violation of the Act of Settlement that any office or place of trust should be placed in the hands of foreigners. These troops being foreign troops, and the garrison of Gibraltar being placed in their hands, there was a violation of the Act in placing an office of trust in the hands of those who were foreigners. But, in addition to that, the third feature in the transaction, which was very much insisted on in the debate, was that the Hanoverian troops were subject to no Mutiny Law. They had a Mutiny Law of their own, but they had left it behind them in Hanover, and when they went to the British Colonies they were a body of armed men subject to no discipline. They entered the employment of the British Crown, and the Crown trusted them with its fortresses. Yet, if they had risen in mutiny, they could not in any way have been controlled. But not one of these features applies to the present case. Beyond all doubt, the Government of that day had done what could not be justified. My noble and learned Friend says Lord Bathurst expressed an opinion that the provision in the Bill of Rights as to a standing Army extended to every part of the Kingdom. Now, it is well known that the debates of that time were very indifferently reported, and whatever observations Lord Bathurst made appear to have been made for the purpose of introducing a paradox. You say, said Lord Bathurst, that the Realms of England mean every part of the King's Dominions; well, suppose I admit that, the effect of it is, whenever there is war in any part of the King's Dominions, the Bill of Rights does not apply; this Kingdom, therefore, means America, and there is war in America, and that, therefore, these troops could be brought to Gibraltar. Now, is it possible that this is anything but a fanciful paradox of Lord Bathurst's?

My Lords, the question which your Lordships have to consider is not as to foreign troops, but as to the Forces of the Crown, duly raised under the sanction and authority of Parliament. Where and what is the limit placed on the authority of the Crown to use and to move its own troops? In the first place, I would remind your Lordships that the Native Indian Army is, since the Act of 1858, part of the Forces of the Crown; and, with regard to the Forces of the Crown, the general rule is that it is the Prerogative of the Crown to move them to whatever place it may think fit, and that it is for those who assert, that in any particular case that Prerogative is restrained, to show how that restriction presses upon the Prerogative. As to the Prerogative of the Crown, let me point out to your Lordships what the undoubted law on the subject is. The Prerogative of the Crown was defined so long ago as the reign of Charles II., in the Preamble of an Act, which Preamble has been kept alive, though the rest of the Act has been repealed. The Prerogative of the Crown is stated to be—

> "Forasmuch as within all His Majesty's Realms and Dominions, the sole supreme government, command, and disposition of the Militia, and of all Forces by sea and land, and of all forts and places of strength is, and by the laws of England ever was, the undoubted right of His Majesty, and his Royal predecessors, Kings and Queens of England, and that both or either of the Houses of Parliament cannot nor ought to pretend to the same. . ."

That is the general rule with regard to the Prerogative of the Crown. I should like to fortify that position by reference to two eminent authorities to which I should think Members of the Liberal Party will attach weight. Mr. Fox, towards the close of the last century, was speaking on a subject which in the last century was of much interest—the right of the Crown to move the Irish Army. Mr. Fox, after remarking that the English and Irish Armies had different Mutiny Acts, which he thought inconvenient, then proceeded to make a proposal, the precise nature of which does not seem very clear. But he observed—

> "Though he was an enemy to the dangerous influence of the Crown, he was a friend to the just Prerogative, and he considered the power vested in His Majesty, of sending troops to whatever place of His Dominions might require their assistance, as the most valuable Prerogative. It was on this ground that the Earl of Chatham said that retrenching the number of troops to be employed in Ireland was 'tearing the master-feather from the eagle's wing.' He considered, therefore, this Bill, as containing different laws, to be dangerous to the Prerogative, because it might prevent the Crown from sending troops from any other place of His Dominions to Ireland, or from Ireland to any other part of His Dominions in cases of emergency."

What was the opinion of Lord Grey's Government as to the power of the Crown? Sir John Hobhouse, representing Lord Grey's Government, said—

> "No House of Commons, at the commencement of every Session, could fairly call upon the Government to state the manner in which the Army of the country was disposed of at home or abroad. That was certainly a matter which should be left to the discretion of the Crown, and the existing Government, according to the emergencies of the time, for there might be circumstances, with which the Government alone could be acquainted, to render it of the utmost importance that the mode in which the military Force was disposed of should be concealed. With the vast interests of our great Empire, with Colonies spread over the whole surface of the globe, it was apparent, looking to England, Ireland, and the West Indies, and, indeed, to all parts of the world, that no man could have a right to call upon the Government to proclaim how many troops were stationed in this place and how many regiments in that. It would not only be the grossest imprudence, it would be usurping the power delegated to the Government, and it would be exposing to those who might take advantage of such exposition what Force was to be stationed, in disciplined array, in different parts of the Empire."

My Lords, this is the general and well-settled doctrine of the Constitution with regard to the power of the Crown over the disposition of its troops; and I repeat, it lies with those who desire to limit the Prerogative to show upon what principle they would limit it. If limited at all, it must be by some condition or limitation in the terms of the enlistment of the troops, or by some localization in the code of discipline for the troops, or by those precedents which, as my noble and learned Friend said, become, after a certain length of time, the law and custom of the case, or by some written statutory enactment. And now I proceed to the inquiry whether in any of these modes it has been limited? Remember, that this is not a question about raising or increasing an Army; it is a question of moving an Army which already exists—an Army which is undoubtedly the Army of the Crown. The inquiry is the simple one, whether that Army, like any other Army of the Crown, can be moved at the discretion of the Crown, or whether that discretion is limited by any of the modes to which I have referred? What is the case with regard to enlistment? What are the terms of enlistment of the Native Indian Army? The terms are these—

> "I will be faithful to Her Majesty the Queen, Her heirs, and successors, and will go wherever I am ordered, by land or sea, and will obey all commands of the officers set over me even at the peril of my life."

There is no doubt that there is no limit whatever imposed by the terms of enlistment. Well, then, is the Prerogative limited by the Code of Discipline? Has it been contemplated or not that the Indian Army may be employed out of India? I take the Act of 1834—an

Imperial Act of Parliament, which gives power to the Governor General in Council to make Articles of War for the government of the Native Indian Army—and what do I find in it? I find these words—

> "It shall be lawful for the said Governor General in Council from time to time to make Articles of War for the government of the Native officers and soldiers in the military service of the Company, and such Articles of War shall prevail and be in force, and shall be of exclusive authority over all the Native officers and soldiers in the said military service to whatever Presidency such officers and soldiers may belong, or wheresoever they may be serving."

Well, is it the case that the Articles of War do apply to the Indian troops serving out of the Indian Dominions? I find that they contemplated this very case, for they say—

> "74.—Every General Court-martial shall, if held in British India, consist of not less than nine commissioned officers; but may, if held out of British India, consist of not less than seven commissioned officers.
>
> "142 (*e*).—In the case of a Detachment General Court-martial held beyond the limits of British India, and not within the Dominions of the Princes and States of India in alliance with Her Majesty, &c. . . . . Provided that, in detached situations beyond sea, or out of British India, or on service in the field, &c."

So much for the discipline. I now come to the precedent or custon. I will take, in the first place, one very instructive document. It was a Report of a Committee of the other House of Parliament upon the subject of the employment of the Native troops, not many years ago. It was appointed on the Motion of Major Anson, and made its Report in 1868. Of course, I have nothing to do with the recommendations of that Committee; but I go to that Report as a convenient historical statement. The Committee, after hearing evidence as to the practice with regard to the Native Indian troops in times past reported upon that point—

> "The Madras, Bombay, and Bengal Armies have been employed beyond seas from the earliest period of our connection with India. The Madras Army has garrisoned Amboyna, Ceylon, Ava, Mauritius, the Straits Settlements, Malacca, Java, Burmah, and China. The Bombay Army has been employed in Aden, China, Scinde, and now in Abyssinia; and the Bengal Army in Egypt, Java, China, Ava, and now in Abyssinia. The Bengal Army, previous to 1856, had only six regiments recruited on the agreement of general service; but in that year, the Madras Army being overworked, the Supreme Government altered the conditions of recruiting, and, in the General Order, dated July 25, 1856, gave this reason for so doing."

Now, this was the reason—

> "It has become very inconvenient to Government, and it is also hurtful to the State, that a small portion only of the Bengal Army should be available for the service of the State beyond seas, and this inconvenience is not much diminished by the fact that the entire Native Armies of Madras and Bombay are enlisted without any limitation of their place of service."

And, on this ground, the Order goes on to say—

> "The Governor General will not henceforward accept the services of any Native recruit who does not at the time of enlistment distinctly undertake to serve beyond seas, whether within the territories of the Company or beyond them."

There is, in this, no reference to a time of peace or a time of war; and no suggestion as to the consent of Parliament being required. Nor is it material that these movements of the troops were in the days of the East India Company. If the East India Company, who were the vicegerents of the Crown, could move the troops, *à fortiori*, the Crown could move them. The Committee continues—

> "It seems difficult to believe that the Indian Government would have issued such an Order as this, if they thought that there were any real difficulties to overcome in the employment of Native troops beyond seas, or if they did not intend it to be a reality."

Now, that is the Report of the Committee of the House of Commons. Was that Report challenged, or was it qualified, or in any way objected to from that day to this? Certainly not.

I will now go on to examine the specific instances in which the Native Indian troops have been used out of India. In deference to the noble and learned Lord, who seems to think it of some importance, I will take, in the first instance, the case in which Native Indian troops were ordered from India to the Cape of Good Hope. Notice was taken of the fact in the House of Commons, not on the ground of the unconstitutional or illegal character of the proceeding, but on the ground that if those troops were so used, the expense of moving them ought not to be charged upon the Indian Revenue. Lord Palmerston said he did not think the Indian Government should bear the expense out of their Revenue, or that it should be defrayed by contributions from the Colony, and that the House would be asked next Session to grant a Vote to defray this additional expenditure. It was never even hinted that there was any question as to the legality of the employment of those troops out of India—the only question being one of money, and of who was to pay. The noble and learned Lord has found that the order for the troops was countermanded, which was probably done to save the financial controversy which was threatened in the House of Commons.

Now, I pass to the precedent with which the name of General Peel has been connected. Your Lordships who have the leisure to investigate that case will find it an interesting one. General Peel, as the noble and learned Lord says, was one of the most skilful, accurate, and experienced statesmen that ever presided over the War Department of this country, and he had an eye for Estimates the sharpness of which was never exceeded. The objection that was taken in the House of Commons was, not that the Government had acted illegally or unconstitutionally in employing Native Indian troops out of India, but that, having so employed them, they went down to the House of Commons and asked for a lump sum to defray the cost. As many noble Lords will, perhaps, recollect, General Peel made it what I may call his hobby to ascertain how much each man in the Army cost, and he had worked out the problem with such accuracy as to say that every British soldier costs £100—though I fear the cost is now somewhat more. His complaint, on the occasion referred to, was not as to the illegality of the employment of the troops, but to the way in which the Estimates were framed — which prevented him from being able to ascertain the average cost of each man so employed. I find that in 1863—

> "General Peel moved that this sum be reduced by £38,000, 'repayment to the Indian Government for pay and clothing of two regiments of Native infantry employed in China.' . . . . He had great objection to the Government employing Native troops out of India, and he should therefore move to reduce the Vote by the sum which he had named. . . .
>
> "Sir George Lewis found himself very much perplexed as to the mode in which he ought to deal with those Indian troops employed in China. He was told, when they were not introduced into the Estimates, that they ought to have been introduced, and that he was following an irregular course in making a transfer from one Vote to another when providing for those regiments out of the moneys voted for other services. In order to obviate that objection, he had introduced them into the Estimates this year, and had followed the precise practice which had been adopted with regard to the Force maintained at Labuan. If, therefore, the sum of £38,000 for those two regiments in China ought to be omitted, so ought also £4,500 for the troops at Labuan. . . . .
>
> "General Peel said the right hon. Gentleman had stated his wish to be the direct contrary of what he (General Peel) desired. His object was to prevent any Government from employing a Native Army in China at the charge of this country without the House knowing and having control over the expenditure. . . . .
>
> "Mr. W. Williams (an hon. Member who at that time scrutinized every Vote on the ground of economy) said, that the course taken by the Government was unconstitutional, and he should support the Amendment.
>
> "Sir George Lewis (the Chancellor of the Exchequer) could not admit that there was the smallest force in what the hon. Member called the constitutional objection to passing the item. If he had attempted to procure payment for these two regiments without a Vote of Parliament, something might have been said as to the unconstitutionality of that course, though he believed there were precedents for it."—[3 *Hansard*, clxix.]

The contest of the noble and learned Lord to-night was reduced to the smallest possible point by the noble and learned Lord himself, when he said that the result of General Peel's Motion was, that from that time forward the men of the Indian Army employed out of India were included in the aggregate number of men voted in the Mutiny Act.

Lord SELBORNE: I did not say so. I said the exact contrary; but a Supplementary Numerical Vote was taken for them in each year; and I said that a Supplementary Vote would do just as well.

The LORD CHANCELLOR: Then my noble and learned Friend relieves me from what I was about to do—to show your Lordships that these men were never included in the Mutiny Act, or in the numbers voted by Parliament, my noble and learned Friend says there was a Supplementary Estimate. Of course there was. The money required could not otherwise have been obtained. But the men were never treated as a portion of that standing Army which, in the Mutiny Act, was stated to have been voted by Parliament. So much, therefore, for the great precedent with which the name of General Peel was connected.

I must, however, beg to add to the precedents referred to by the noble and learned Lord, and I shall cite them for the noble and learned Lord's consideration. In 1867 the Straits Settlements were removed from the Government of India to the Government of the Crown, through the Colonial Department. From 1867 to 1871 the Madras Native Infantry garrisoned the Straits Settlements in time of peace, and no Constitutional objection was taken to their being so employed; and can the noble and learned Lord show that the consent of Parliament was either asked or given for their employment? The same course was taken with respect to Hong Kong. The case of Abyssinia has been mentioned. In that case, the Chancellor of the Exchequer went down to the House of Commons—as he will do in the present case—and asked the House of Commons to recoup the expenditure incurred on an emergency by the Indian Government on behalf of the Empire. Did any speaker in the House of Commons on that occasion say, or even suggest, that the removal of the Indian troops to Abyssinia was an illegal act? The question was treated simply as one of the money which had or had not to be paid, and no speaker dealt with the question as being one in connection with which the Government could be said to have committed an unconstitutional act.

I will now say a word as to the assent of Parliament. The assent of Parliament is not a matter upon which, as I regard the matter, there can be any argument, as I do not expect anyone will stand up in this House or elsewhere and assert that it does not require the assent of the Crown, of this House, and of the House of Commons. There have been occasions on which the question has arisen how the assent of Parliament should be manifested. One of these occasions—alluded to by the noble and learned Lord—was in 1734, in the time of Lord Hardwicke. Some Members of this House thought that the assent of Parliament required an Act of Parliament to express it; but Lord Hardwicke said that, in his opinion, when the Crown came down and asked for a Vote of men, and both Houses responded to that Address by agreeing to the Vote of men asked for, that was the assent of Parliament within the Bill of Rights. I adopt that view, and it has been adopted on several occasions. Indeed, I should have thought that no Government would either overlook or violate that rule, considering that it comes fresh before Parliament every year in the Mutiny Act. The Mutiny Act, in its recital, says that there must be no standing Army raised in time of peace within the United Kingdom without the consent of Parliament, and I should have thought the words so clear that they could not have been misunderstood; but they have been not merely misunderstood, but neglected, and actually violated—though only once. In the year 1870, which was a time of profound peace, as far as this country was concerned, and when Parliament was sitting, the Government of the day raised an addition to the numbers of the Army authorized by the Mutiny Act to the extent of 20,000 men; and I will venture to say that there is not a syllable on the records of your Lordships' House to show that your assent was asked to such increase in any shape or form. The men were raised on a Vote of the House of Commons, without an Address to the Crown—without any communication to this House, and without the assent of this House. The amount of the Vote of Credit of course found its way into the Appropriation Bill, and the Appropriation Bill came to this House. But the Appropriation Bill is the provision for the whole of the services of the year, and your Lordships' House has no power, as far as the Appropriation Bills is concerned, to do anything other than to accept or reject the whole. You cannot alter or modify it; and to say that in this way the assent of this House could be obtained to an increase of the standing Army, would be to reduce this Constitutional safeguard to a mockery.

So much for precedents. And now I would come to the question whether there is anything in the Statute Law to prevent the Government from removing those troops from India to any part of the Queen's Dominions without the consent of Parliament? I will just refer to a Statute which, although not now in force, was the governing Act for 40 years with respect to the Indian troops—I mean the Act of 4 *Geo.* IV. c. 81. That Act provided for the trial and punishment, if necessary, of officers or men in His Majesty's Indian Army who might be guilty of offences against the law in these words—

> "Whenever any portion of such Native troops shall be serving in any country or place out of the possessions or territories which are, or may be, under the Government of the said United

Company, whether such be the Dominions of His Majesty or elsewhere, on the trial of all offences committed by any Native officer, or soldier, or follower, reference shall be had to the Articles of War framed by the Government of the Presidency to which such Native officer, soldier, or follower, shall belong."

This shows clearly that at the time the Act was passed, it was in the mind of the Legislature that the troops might be serving either in or out of India—not merely on foreign ground, but in other parts of the Dominions of Her Majesty.

But now let me take the Act of 1858, the Act for the Government of India. The 55th clause, as it now stands, provides that the Indian troops should not be paid out of the Revenues of India, except when they are serving in the country; and this shows that the possibility of their so serving out of the country under the orders of the Crown was in the mind of Parliament. Otherwise, if the assent of Parliament to their movement was necessary, it would have been time enough, when that consent was asked for, to have considered how the expense was to be borne. But, what was the history of this clause? When the Indian Government Bill was passing through the House of Commons in 1858, a clause was proposed by Mr. Gladstone on the Bill in these words—

> "Except for repelling actual invasion, or other sudden and urgent necessity, Her Majesty's Forces in the East Indies shall not be employed in any military operation beyond the external frontier of Her Majesty's Indian Possessions, without the consent of Parliament to the purposes thereof."—[3 *Hansard*, cli. 1007.]

This proposal raised considerable discussion, and opinions concerning it were expressed by several leading statesmen. Sir George Cornewall Lewis said, in course of the debate, that—

> "In his view of the matter, the general Prerogative of the Crown, in declaring war, was practically limited by the necessity of obtaining Votes of Supply from Parliament for the purpose of carrying on war. Beyond that constitutional necessity, the Prerogative of the Crown with regard to a declaration of war or concluding peace was unlimited. Suppose, however, the Governor General desired to make war, not for the purpose of repelling actual invasion or under other sudden and urgent necessity, he would have to communicate with the Home Government; and in what manner would the consent of Parliament be obtained? He presumed it would be necessary to obtain the consent of both Houses, and that it would be the duty of the Executive Government to introduce a Bill formally giving their consent to the Governor General's making war. That might be difficult to procure. Then the question might arise whether, Parliament having consented to the commencement of a war, it was competent for the Governor General to terminate such war without the assent of Parliament. If they sanctioned such a principle, it might be extended to other wars, and they might eventually adopt the doctrine that the British Parliament, like the American Senate, should give its consent to all wars in derogation of the existing Prerogative of the Crown. If this clause were to have a practical effect, these points would have to be considered."—[*Ibid.* 1012.]

Lord Palmerston, in the course of the same debate, said—

> "He entirely agreed with his right hon. Friend who last spoke, that the consent of Parliament was not necessary previous to a declaration of war, because it was a fundamental principle of the Constitution that the power of declaring war and concluding peace rested with the Crown, the Ministers of the Crown being responsible for the manner in which they advised the Crown to exercise that Prerogative. To maintain that the previous consent of Parliament was necessary, either to the commencement of a war or to the conclusion of a peace, would be to introduce a principle destructive of the British Constitution; and he was somewhat surprised that Her Majesty's Ministers, who were the guardians of the Prerogatives of the Crown and of the Constitution of the country, did not rise and protest against doctrines which in his opinion were most inconsistent with Prerogative and the Constitution. . . . He thought the noble Lord (Lord Stanley) would act somewhat hastily, if he adopted the clause in its present form."—[*Ibid.* 1013.]

The opinion of Lord John Russell, who followed Lord Palmerston on this occasion, was that—

> "He was disposed, however, to concur in the objections raised by his noble Friend (Viscount Palmerston) to the terms of the clause. 'Her Majesty's Forces in the East Indies,' it was said 'shall not be employed in any military operation' beyond the frontier of India without the consent of Parliament. Now, supposing we had a war with some European Power, and that, this war being supported by the House of Commons, it was considered desirable for the Indian Army to attack the Possessions of this enemy of the Crown, it appeared to him the clause would prevent the employment of those Forces without the consent of Parliament. Thus if, prior to the attack on Java, when we were at war with the Dutch, the Governor General had been obliged to send to the Home Government, and they had been obliged to apply to Parliament to obtain authority for this Expedition, it might have failed altogether, because, by making it known to the enemy, through a debate in Parliament, you would entirely defeat your object. He doubted also whether the language of the clause would not have prevented the Expedition to Egypt."—[*Ibid.* 1015-16.]

It was quite clear what the view of Lord Russell was. No doubt, he referred to a state of actual war; but his objection to the clause was that it would limit the power of the Crown in the case of war being imminent, or with a view to objects of great Imperial importance, and render the accomplishment of those objects difficult, if it was necessary to come to Parliament for its assent. On that ground was founded the objection of those eminent men to the clause proposed by Mr. Gladstone, which would have prevented the movement of the Indian troops from India. Well, my Lords, Mr. Gladstone's clause was inserted in the Bill with some verbal alterations, and the Bill came up to this House. When the Bill reached this House, the late Lord Derby drew attention on the occasion of the second reading to the 55th clause. The noble Earl said—

"There are, I believe, only two other subjects to which I need now direct your Lordships' attention, and I allude to them because I think that, as far as they are concerned, the principle and the object of the Bill have been somewhat misunderstood. One relates to the employment of the Indian Army, and the other relates to the admission to the Civil Service of India. The 55th clause deals with the first of those subjects; and it has been objected to that clause, that it appears to interfere with the Prerogative of the Crown, inasmuch as it provides that none of Her Majesty's Forces maintained out of the Revenues of India shall be taken, except in cases of urgent emergency, beyond the frontiers of that country without the previous consent of Parliament. Now, it has been thought—and I confess that the wording of the clause makes it open to a construction which was not intended by its framers—it has been thought that that would be an interference with the undoubted Prerogative of the Crown to make war or peace. . . . . Our intention, however, is not to limit the Prerogative of the Crown, but to protect the Revenues of India; and, consequently, when we come to that clause, I mean to propose in it an Amendment which will, I think, remove all ambiguity upon this point. It will be to the effect that, except for the purpose of preventing or repelling actual invasion of Her Majesty's Indian Possessions, or in order to meet some sudden and urgent emergency, the Revenues of India shall not, without the consent of Parliament, be applicable to the expense of any military operation carried on beyond India by Her Majesty's Forces chargeable on such Revenues. That provision will impose a pecuniary check on the Prerogative of the Crown in regard to the Army of India such as already exists in the case of all other portions of Her Majesty's Forces."—[*Ibid.* 1458-9.]

And what said the noble Earl the Leader of the Opposition in this House (Earl Granville) on that occasion? He thus addressed your Lordships' House—

"The noble Earl has already alluded to the fifty-fifth clause. I have very often remarked that when anything not very wise is done by any person, it is done at the suggestion of some one else wiser than himself. He who offers the suggestion does not very carefully consider it, and the person to whom it is offered thinks he may adopt it, inasmuch as it has proceeded from a very sensible man, without that sifting to which he would subject his own proposition. Something of this sort seems to have taken place in the other House with regard to this clause. A very able man (Mr. Gladstone) in the other House suggested this clause, and the Government, to my great surprise, instantly adopted it. What is the clause? That, except in cases of great urgency, the Army in India shall not be employed beyond the frontier of Her Majesty's Indian Possessions without the consent of Parliament. That appears to me altogether unconstitutional. Then, how is the assent of Parliament to be signified? Is an Act of Parliament to be passed before any military operations can be executed? If so, I presume that it will be equally necessary to have an Act of Parliament declaring peace, and in this way you will entirely take out of the hands of the Crown one of its most important Prerogatives. I must say that if this clause be merely modified in the sense in which I understood the noble Earl to say he was willing to modify it, it will still be open to much objection, and I shall feel it my duty to ask your Lordships to reject it altogether."—[*Ibid.* 1470-71.]

Well, my Lords, Mr. Gladstone's clause was removed in your Lordships' House from the Bill, and the clause in its altered form became that which is now the 55th clause, and in this form the noble Earl did not ask your Lordships' House to reject the clause; and he must, therefore, have subsequently satisfied himself that when it took its present form it was free from the Constitutional objection which he had pointed out—namely, that in the matter of the movement of Native Indian troops beyond the boundaries of India, it would limit the Prerogative of the Crown. My Lords, I entirely agree with the view expressed by the noble Earl. I believe that the clause, as it now stands, in no way limits, or professes to limit, the Constitutional or legal right of the Crown with regard to the movement of Native Indian troops. It does this, and this only—it protects the Revenues of India from bearing the cost of the movement of those troops. But the argument of my noble and learned Friend is this—that whatever the Act of 1858 does, the annual Mutiny Act by its wording prevents Indian troops being made available out of India without the assent of Parliament. But, in 1858, the Mutiny Act was just the same as it is now, and if any of those eminent statesmen, to whom I have referred, were of opinion that it prohibited such movement of the Native Indian troops, would they on that very ground have opposed the clause proposed by Mr. Gladstone?

It would be absurd to have had the discussions to which I have alluded if that were so. Well, my Lords, that being the history of this clause and its wording, I confess I am surprised that at this time of day, 20 years after it has passed, it should be gravely maintained that all the care and pains taken to alter and modify the 55th clause in its original form went for nothing, and that the clause in its present form produces just the same effect which would have been produced by the clause which was removed from the Bill.

My noble and learned Friend endeavoured to produce in the minds of your Lordships the impression that there was something in the Mutiny Act which in some way affected the Native Army of India. The fact is, that the words to which my noble and learned Friend alluded do not refer to the Native Indian Army in any way. They refer to Her Majesty's European Army—the White Army—serving in India, and there is nothing in the Act which refers to the Native Indian Army. The argument from the Mutiny Act requires a very short examination, and it will turn out to be as baseless as that founded on the Indian Government Act. But first, let me remind your Lordships of the point in the discussion at which we have arrived. I have shown your Lordships that the Native Indian Army are Forces of the Queen, and being so the Crown, *primâ facie,* has an absolute right to move them wherever the Sovereign may think fit. Those who say that that right is limited must show that it is so. I have shown to your Lordships that it is not limited by the terms of enlistment or by Code of Discipline; that, so far as precedents are concerned, there are numerous precedents for the employment of those troops out of India without any objection having been taken as to the legality of that step. I have shown that an Act in force for 40 years up to 1848 contemplated the employment of Native Indian troops out of India; and now the only question is, whether the whole of this body of evidence and proof is to be contravened by a few words of recital in the commencement of the Mutiny Act.

My Lords, in order to understand the effect and object of this recital, I would ask your Lordships to remember what was the position of the various Armies in India before and since 1858. Before 1858 there were three different classes of Forces in India—the Regular Army of the Queen—next, the European troops kept up by the East India Company — and there were, thirdly, the Native troops of the East Indian Company. There were these three sets of Forces. How were those Forces dealt with by the Mutiny Acts? With regard to the Queen's regiments serving in India, they were subject to the annual British Mutiny Act just as much as if they served in England. With regard to the European White troops of the East Indian Company, they were subject to a Mutiny Act of their own. That was not annual, it was perpetual, and it was passed by the Imperial Parliament. With regard to the Native Indian Forces, they were subject to an Act of the Indian Legislature, made under the Imperial authority, as I have already pointed out. There were, then, three different sets of Forces, and three different Mutiny Acts. Now, the Act of 1858 provided that the two sets of Indian Forces should become the Forces of the Queen; and the consequence was, since the Act of 1858, we had, at first, three separate Forces belonging to the Crown—the British regiments, the White troops formerly belonging to the East India Company, and the Native troops. That state of things continued until 1863, and then an Act was passed bringing the European Forces, formerly belonging to the East India Company, under the annual Mutiny Act. That Act, in the Preamble stated—

> "It is expedient that Her Majesty's European Forces in India should from henceforth be subject to the Acts for the punishment of Mutiny and Desertion, from time to time, passed for the government of Her Majesty's General Forces."

But that Act expressly declared that it was not in any way to affect the Native troops of the Crown in India. They were to continue under their own Mutiny Act and Articles of War. The European Forces, therefore, and the European Forces only, in India, are within the Annual Mutiny Act.

Now, my noble and learned Friend takes out of the Preamble of the Mutiny Act these words, "exclusive of the numbers actually serving in Her Majesty's Indian Possessions," and he first assumes that these words refer to the Native Indian troops, and he then founds on this assumption the argument that the Native Indian troops must serve within

India and nowhere else; and that if they go beyond that it is a departure from the Mutiny Act. Well, that depends on the great question—what troops are meant by the words "exclusive of the numbers actually serving?" for if those words do not refer to the Native Indian troops, the argument of my noble and learned Friend falls to the ground.

My Lords, the words which my noble and learned Friend relies do not touch, and are not meant to touch, the Native troops. The Native troops are not brought within our Mutiny Act in any way. That is made clear from the clause which enacts—

> "Nothing in this Act contained shall in any manner prejudice or affect any Articles of War or other matters made, enacted, or in force, or which may hereafter be made, enacted, or in force, under the authority of the Government of India, respecting officers or soldiers or followers in Her Majesty's Indian Army, being natives of India."

On the other hand, the European Forces in India are within the Act, but the men are not to be reckoned numerically, unless they are at the depôts in the United Kingdom. If your Lordships will read the Preamble with this key to its meaning, all difficulty will at once disappear. The Preamble runs—

> "Whereas it is adjudged necessary that a body of Forces should be continued for the safety of the United Kingdom, and the defence of the Possessions of Her Majesty's Crown, and that the whole number of such Forces should consist of 135,452 men, including those to be employed at the depôts in the United Kingdom for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within Her Majesty's Indian Possessions."

Therefore, the meaning of the words which have caused my noble and learned Friend difficulty is perfectly clear. The Act is not to apply to the Native Indian regiments—the recital is to include those officers and men of the European Army of India who are employed in depôts in England and Ireland, and to exclude the number actually employed within Her Majesty's Indian Possessions.

But that this is the meaning of the meaning of the recital can be shown to demonstration. The noble and learned Lord has, in his Motion, properly spoken of the Vote recited in the Preamble to the Mutiny Act. I turn in the Estimates to the Vote, and you will find on one side it runs thus:—"The number of men, Regular Army, exclusive of India;" and, on the other side, "the number of men of the Regular Army serving in India." Of course, therefore, "exclusive of India" means "exclusive of the number of men of the Regular Army serving in India," and the Regular Army throughout the Estimates means the Queen's European Army. The number of the European Army serving in India at the present time is about 62,000, and of the Native Army 125,000. It is a case of one-third and two-thirds. We have a Vote for the number of men, 135,452—that is the exact number provided for in the Mutiny Act; and then you have those serving in India set down as 62,650, which is the number of the White European Army, and not the number of the Native Army. Therefore, those who are excluded, and by the very word of your own Vote are excluded, from the enumeration of the Mutiny Act, are the 62,650, and are not the Native Army. My Lords, the case is thus brought to this simple point. Nothing can be shown which in any way fetters the legal and Constitutional power of the Crown to move the Indian Army anywhere except it may be the United Kingdom. The expense must, of course, be provided by Parliament, and this, which is the Constitutional check, is, at the same time, the only check on the Constitutional right of the Crown. How can that right be affected by the recital in the Mutiny Act, which does not relate to the Indian Army at all? This is the whole of this case.

My Lords, I agree with my noble and learned Friend that there is a very great difference between questions of substance and questions of form. But, my Lords, if the action of a Government cannot be challenged on a matter of substance, I think great care should be taken that misapprehension is not produced by challenging it on a question of form. If the noble and learned Lord had entertained the opinion that Her Majesty's Government had been chargeable with any error of judgment, with pursuing an erroneous and mistaken policy, as a matter of policy, in moving these Indian troops to Malta, under all the circumstances of the case, that question might have been raised before this House by a proper Motion on the subject. Nay, more, if it had been the opinion of the Opposition that the policy of the Government was erroneous, I maintain it was their duty, as I understand the duty of public men, to have challenged that policy and to have asked the House to condemn, in substance and not in form, what the Government had done. But, my Lords, I also maintain that where, in the present state of Foreign affairs, arguments in the English Parliament on questions of form may easily be mistaken abroad for arguments on questions of substance, you ought, before you challenge on a question of form, to be quite clear that your form is right. I maintain there is no foundation whatever for the proposition which my noble and learned Friend has placed on the Paper to-night. I believe that, as to the substance of the case, Parliament will justify the policy of the Government; I am quite satisfied it is justified by the country at large. The question of form I leave to your Lordships' decision; without fear or apprehension I maintain that criticism on the form is entirely misplaced.

VISCOUNT CARDWELL said, he certainly understood the noble and learned Lord who introduced the Motion to make a substantial charge against the Government, when he said that they violated the express terms of the Act of 1858 when they moved Indian troops out of India without the assent of Parliament, and without having made any provision out of the Imperial Revenue for meeting that expenditure. The Act of 1858 prohibited the application of the Revenues of India to the expenses of any military operation beyond the frontiers of India without the consent of both Houses of Parliament; and the argument of his noble and learned Friend was that the action of the Government in ordering the Indian troops beyond the frontiers of India without having obtained any authority from Parliament for the application either of European or of Indian money for the expenditure, was either a violation of that Act, or an infringement of the Constitutional principles of our own Government. But the noble and learned Lord on the Woolsack had discovered what he described in grandiloquent terms as a most serious, a most unprecedented breach of all Constitutional propriety on the part of the late Administration—of that Department of it for which he (Viscount Cardwell) was especially responsible. His noble and learned Friend imagined he had discovered that, although he (Viscount Cardwell) had obtained from the House of Commons, in the regular manner, a Vote for 20,000 men, and a separate Vote for the money, on the outbreak of the Franco-German War, yet the consent of Parliament had never been given, inasmuch as no communication had been made to their Lordships—not even in the Appropriation Act.

THE LORD CHANCELLOR said, that the Appropriation Bill sanctioned the Vote of Credit for £2,000,000, but it did not say that the money was for the purpose of raising 20,000 additional troops. The only reference to the purpose of the Vote was in the Schedule.

VISCOUNT CARDWELL said, that the reference in the Schedule of the Appropriation Act was of the utmost importance, and since this charge was so serious and so specific, their Lordships would excuse him if he read to them the words of the Schedule from the volume of the Statutes, which he found in the Library of the House. The words he found were these—

> "Towards defraying the expenses beyond the ordinary grants of Parliament which may be incurred in maintaining the Naval and Military Services of this Kingdom, including the cost of a further number of Land Forces of 20,000 men during the war in Europe."

He had asked for the Votes in the House of Commons on the 1st of August, 1870, and the Bill, with their Lordships' consent, had received the Royal Assent upon the 10th. While he was vindicating himself in this matter, he might do so in another—the exercise of the Royal Prerogative in the abolition of Purchase—which he had been privately informed it was probable he might hear of in the course of the debate. He had been charged with having transgressed the law and Constitution when he advised the use of the Royal Prerogative in the case of the abolition of Purchase in the Army. But the facts were these. On going to the War Office at the end of 1868, he found that his Predecessor had obtained the sanction of Her Majesty to the abolition of the rank of cornet and ensign in the Army, without making any provision for the cost of so doing; and, therefore, he (Viscount Cardwell) submitted to the House of Commons an Estimate for the money necessary to furnish the regulation price of the commissions. He could not offer more than the regulation price, traffic in commissions being forbidden by the Act of 1809. There was great alarm at the proposal, as involving the whole principle of the over-regulation prices, and a great deal more than the regulation price was demanded. He therefore referred the whole subject to a Commission composed of very eminent men. The Commission reported in substance that the sale of commissions had obtained such general sanction that the prohibition could not rightly be enforced without full compensation; and that while regulation prices were permitted, it was impossible that the statutory prohibition of over-regulation prices should be obeyed. He then asked Parliament for money to indemnify the officers and abolish the whole system of Purchase. The House of Commons adopted his proposal; but their Lordships delayed the Bill. He was therefore obliged to recognize the continuance of the system which a most stringent Statute had prohibited and the other House had provided the means to abolish, or to resort to the exercise of the Royal power, so far as to put an end to the regulations permitting Purchase on the specified terms; but, in adopting the latter course, he had no notion of enlarging the Prerogative of the Crown, or of showing any disrespect to their Lordships' House. He was surprised to hear his noble and learned Friend on the Woolsack begin his speech by replying, not to the able speech by which the debate had been opened by his noble and learned Friend near him, but by replying to a speech which he supposed to have been made by a noble Marquess in the other House. The opening speech of his noble and learned Friend (Lord Selborne), to which he had listened with admiration, was described by the noble and learned Lord as "overloaded" and "irrelevant," and as dealing with matters that were either "misapprehended" or "perverted;" but no attempt had been made to justify that description. He thought, indeed, that he would have found it difficult to have replied to the speech of his noble and learned Friend, who did not question the policy of moving troops from India, but treated the mode by which the Government had done it as a question of Constitutional law of the first magnitude. He (Viscount Cardwell) thought it most desirable to keep the question of Constitutional law and right, which was one of the greatest magnitude and importance, entirely separate from those of mere personal or Party interest. His noble and learned Friend, in keeping apart the great Constitutional question from all the small and unworthy interests which were capable of being associated with it, had performed one of the greatest services he could have rendered to the country. The question of Constitutional policy had been entirely lost sight of by the noble and learned Lord on the Woolsack. Reference had been made to what had taken place in 1775, and a large portion of the noble and learned Lord's observations were in answer to arguments that might have been used in 1775, but which had not been used at the present time. He hoped, after what had been said by his noble and learned Friend (Lord Selborne) on that subject, they would hear no more of it. With reference to the Report of the Committee of 1867, he thought the long list of precedents which had been read by the noble and learned Lord on the Woolsack contained scarcely one that happened while the Indian Army was under the Crown—his criticism, therefore, was entirely irrelevant. He agreed with the doctrine laid down by General Peel. What he understood was this, that the limitation of the number of men was necessary to the efficient control of Parliament; but that it was not sufficient to take merely a subsequent power of repaying the money. Every year both the men and the money must be voted. Vote A accordingly was the general Vote, and Vote B included the numbers of Indian troops; but these did not go into the Mutiny Act. Now, if these Indian troops had been voted under Vote B, and the Vote of Credit placed in the Appropriation Act, the old Constitutional practice would have been restored; but under the course pursued by the Government, the number of men would not have the sanction of Parliament at all. The question now was not a question of policy, but a question of whether the prior consent of Parliament was necessary or not. He understood that was not disputed by the Government. The noble and learned Lord on the Woolsack quoted the doctrine of emergency, and cited the authority of Mr. Gladstone, that the Government which did not take on itself the responsibility of acting in an emergency independent of Parliament, applying afterwards for indemnity from Parliament, would not be worthy of the country. He quite agreed with that sentiment of Mr. Gladstone's. The Government admitted that they could not employ troops without the previous sanction of Parliament, if it were possible to obtain it, and that whenever they were compelled to employ them without the previous sanction of Parliament the solemn obligation lay on them to obtain that sanction at as early a moment as possible. After such an acknowledgment, he must say the object of his noble and learned Friend in initiating this discussion had been obtained.

Lord NAPIER and ETTRICK said, it was to be regretted that upon a question involving an important and interesting point of Constitutional law, two of the greatest legal authorities in that House should entertain diametrically opposite opinions. The discussion had taken the aspect of a mere intellectual contest, in which the two noble and learned Lords contended for the mastery in technical learning. If this question was to be raised at all, it should have been with some prospect of producing some deep and clear impression upon public opinion, and of exercising some salutary influence upon the policy of Her Majesty's Government. From the beginning, however, it had seemed to him, there was very little prospect of such a result being attained. The noble and learned Lord seemed to have overlooked that it was in the highest degree improbable that Her Majesty's Government would have taken such a step without having obtained from the highest authorities the assurance that it was in accordance with Constitutional law. Had it been otherwise, would not the noble and learned Lord on the Woolsack have employed all his legal knowledge and learning to prevent it? And was it not likely that the public would attach the greater weight to an opinion given with all the responsibility of official position? There was another consideration. They were all aware that, on several occasions, the authorities in India had sanctioned the employment of Indian troops in the Colonies of the Crown, and the legality of that course had never, so far as he was aware, been seriously questioned, either in England or India. Within his recollection, and within the period of his official employment in India, the Madras troops were regularly employed out of India, under the sanction of the Government of India, with the assent of the Local Government, and, it must be assumed, of the Government at home. A Madras regiment was despatched to Hong Kong in 1867-8, and some Madras regiments had been stationed in the Straits Settlements for many years; and after the Settlement was transferred to the Colonial Office in 1867, one Madras regiment still continued to garrison it. He had not gathered from the discussion a single argument to show that the employment of Indian troops, being legal in the East, would be illegal in Europe. He thought it a most lamentable thing that at a time when the people of India were animated by the most loyal and devoted sentiments to the Crown—when the Indian troops were burning with a desire to consummate their reconciliation and union with their British fellow-subjects—and when the people of Malta were about to give a most kindly and confiding welcome to their strange guests and new defenders—a noble and learned Lord, adorned with every ornament of learning and eloquence, should have suggested to the Indian soldier that he might possibly commit, and to the Colonial subjects of Her Majesty that they might possibly suffer, an illegal act.

The Duke of RUTLAND said, that though he could not offer a single observation on the Constitutional and legal aspect of the question, he might be allowed to express his deep and unfeigned regret that their Lordships' House and the House of Commons should have received at the hands of the Government what seemed to be a very great slight. Her Majesty's Government, on the 27th of March, came to the conclusion that Indian troops were to be utilized; on the 28th of March, his noble Friend (the Earl of Derby) resigned; on the 12th of April, Her Majesty's Government telegraphed that transports should be sent to India to bring Indian troops to Malta; on the 16th of April, the Governor General announced the number of troops that would be sent; and on the 16th of April, also, Parliament was adjourned. Now, it seemed to him that if ever there was a question which, independent of its Constitutional aspect, ought to have been submitted to Parliament, this was that question. It was a totally new question. Indian troops had never before been sent from India to Malta. Not only was the question a new one, but it was raised in a time of peace, and the step taken was a threatening of war. He wanted to know why Parliament was called together three weeks before the usual time—to the great inconvenience of the Members of their Lordships' House, as he knew, and to the great inconvenience of many Members of the other House—if it were to be kept in the dark upon this important matter? What was the reason?—what the object?—what the excuse? Why did not the Government, in the case of a great emergency—at a great crisis—resort to the advice and assistance of Parliament? He could answer that question, and if he was wrong, the Government would contradict him. It was because, if it had been known before the Recess that these troops were to be sent to Malta, the movement of troops might have been arrested, all the doubts pointed out, serious difficulties might have arisen, and the hands of the Government might have been impeded. Yes; but why was Parliament called together, except to discuss a question of this nature? The noble Viscount, who lately addressed the House, alluded to the Abolition of Purchase Bill. That Bill they were invited in the Queen's Speech of 1871 to consider. They did consider it for three nights, and at 2 o'clock of the morning of the third night, they decided to send it before a Royal Commission by a majority of 25. The next day their decision was overridden by Royal Proclamation. He was quite sure the noble Viscount meant no slight to their Lordships' House; but it added to his alarm at the encroachment, in the present case, of the Executive upon the functions of Parliament. He protested against this conduct of the Government, as an encroachment by the Executive upon the functions of Parliament.

Lord DENMAN said, that he could not be persuaded that the previous consent of Parliament was needed for the step which the Government had taken. He would apply to the present Members of it words used by an eminent diplomatist, in 1775, in a letter—

> "There is an old French author, the Duc de Rohan, who writes about the principles of government, and says of that of England—'*La constitution d'Angleterre est une grande bête qui ne saurait mourir si elle ne se tue pas elle-même.*' Now, that is precisely what I could have said in six sheets of paper, and not more clearly. England will not be *felo de se* now. I trust in Providence, and in the manly principles of those sound politicians who have a fair and just preponderance in the management of that Constitution."

It had been said by a great authority—as was truly or falsely reported—that England was like a great whale, which could only fight on sea; and it was necessary, in the present emergency, that troops should be ready in case, unfortunately, "force" should be needed instead of "diplomacy."

Earl GRANVILLE: My Lords, before the debate closes, I must express my surprise that no one Member of the Government should have thought it necessary to say one word on the appeal made to them by the noble Duke behind them, who is one of the most consistent Conservatives in the House. The noble Duke, with great clearness, appealed to the Bench below him to give an explanation as to why it was that the proposed movement of troops had been kept secret from Parliament. So far as my experience goes, I do not remember an occasion on which Parliament has been treated so cavalierly as both Houses have been treated on the present occasion. It is perfectly true that on the day fixed for the Adjournment, I said I was quite sure Her Majesty's Government would inform the House whether it had any further information to communicate to Parliament on the subject of the Eastern Question; and we know that in "another place" a still more important Question was put; yet we know that not the slightest information was imparted on this most important subject. I do trust that the Government will condescend to give us some information on this particular point. We have to thank the noble and learned Lord on the Woolsack for the very interesting sermon or lecture he has given us this evening. He complained very much of my Friend the noble and learned Lord—who, on this great Constitutional point, has given us one of the most complete and exhaustive speeches I ever heard in this House—for the great length at which he had addressed your Lordships, and then the noble and learned Lord himself proceeded to speak at still greater length than my noble and learned Friend; but he did not touch upon some of the most important precedents and arguments which have been brought forward, and without attempting to answer some of his most cogent arguments. The noble and learned Lord admonished my noble and learned Friend to be more accurate in his historical references—an admonition which I should think the noble and learned Lord was the last to require. The noble and learned Lord himself committed an error in the information he has given us respecting the Appropriation Act; but when he came to the debate of 1775, referred to by my noble and learned Friend, and whose reference to it he pooh-poohed, he certainly in what he said bears out my recollection of what was said by Lord Chancellor Bathurst, who, according to the noble and learned Lord on the Woolsack, was only talking paradoxically. He concluded in this manner—that the King had no right to maintain in any part of the Possessions of the British Crown any other than the troops agreed to by Parliament, both as to the number and also as to nations. The previous consent of Parliament is one of the most important points of Constitutional law, and I cannot conceive why Her Majesty's Government did not come to Parliament and state what they had decided upon. The whole character of the demonstrations made by the Government appear to me to have been of an ostentatious character. The bringing of these men to Malta is an act of that kind, and the secrecy with which the movement was shrouded seems to have been confined only to this country, and especially to Parliament, as it appears to have been known in India. If there had been any immediate probability of war, and that the Russian Government might have been able to prevent moving these troops to the spot, there might have been some excuse for this policy of secrecy; but nothing of the kind existed. It has been said that if the intention of the Government to bring these troops to Malta had been known in India, the rates of freight would have been enormously increased; but I have been told that if the wants of the Government had been known, the competition which would have ensued would have made the freights much cheaper. Therefore, I am still at a loss to know why the information was not given. And I must say that I utterly object to the way the noble and learned Lord has laid down as a fundamental Constitutional principle, that it does not signify what is kept from Parliament if the Government afterwards explains the course it has taken, and obtains its sanction—a sanction which, in 99 cases out of 100, Parliament could not refuse. I do not deny that there may be cases in which a Government would be perfectly right to take a certain course without consulting Parliament, and in keeping it secret if it were necessary to do so; but no such necessity existed in this case. We are not in a state of war; and it would have been not only Constitutional but a wise and prudent thing for Government to take Parliament into its confidence, and in a Constitutional manner obtain its consent beforehand. The clause moved by the late Lord Derby in the Government of India Act, to prevent the Revenues of India being employed for the movement of troops outside the boundaries of India, was not intended to authorize the Revenues to be so employed, provided the Indian Exchequer was recouped. In fact, you break the law, when you make the Indian Revenue supply the means of moving troops on the chance of getting Parliament to repay the money. The noble and learned Lord on the Woolsack, instead of answering the precedents of my noble and learned Friend, gave us precedents of his own. My noble and learned Friend, at the opening of his speech, stated distinctly that his propositions and illustrations would be entirely separate from cases in which we were in a state of war, or when Parliament was not sitting; but nearly the whole of the precedents quoted by the noble and learned Lord were connected with a state of war, and referred not to the Imperial Army, but to that of the Company—which is a perfectly different thing. The noble and learned Lord, at the beginning of his speech, said the subject was a very fit one to bring before the House; but, at its conclusion, he made it a reproach against my noble and learned Friend, that he should bring forward what he described to be a mere question of form, instead of proposing a direct Vote of Censure. We are continually challenged to bring forward Votes of Censure, and to divide upon them. It is one of the advantages of this House that we can discuss questions without Motions of a character hostile to the Government; but these continual challenges remind me of the old quotation—"*Fas est et ab hoste doceri;*" and I think that the meaning of the poet was not so much that we should follow the advice of our opponents, but copy their example. Noble Lords in this House and right hon. Gentlemen in the other House, when they were in Opposition, made perpetual attacks upon the Government; but they abstained, and very wisely abstained, from Motions or divisions, and I prefer now to follow their example than their advice in this matter. The noble and learned Lord on the Woolsack spoke somewhat disparagingly of forms, and there is an opinion prevalent in some quarters that these Constitutional checks are obsolete things; but I think it most unwise to allow unconstitutional precedents to be created without some sort of remonstrance against what might prove mischievous, or even disastrous, if evil days should come. Such checks ought not, in this House, to be treated as mere forms. I remember hearing the late Lord Derby say—

> "We live not in times when Lords and Commons have to protect themselves against the arbitrary power of the Crown—those days have long passed, and the Prerogative of doing that which is beside and beyond the law is not now vested in the person of the Sovereign, but in the responsible Advisers of the Crown. It was their duty now to see, therefore, that the power should not only be legally exercised, but also that it should not be stretched to an unconstitutional extent."

That I think sound and Constitutional doctrine, and much safer than that put forward by the noble and learned Lord on the Woolsack. I am glad this discussion has taken place. I hope that its result may be to make Her Majesty's Ministers more thoughtful in matters of this sort, and then the discussion of to-night will not have been without value and importance.

THE EARL OF BEACONSFIELD: My Lords, the noble Earl who has just spoken (Earl Granville) has rebuked us for not having answered a Question put by the noble Duke who sits behind me. The Question is one which everyone has been asking for a considerable time. If a Question which is frequently put is not answered, it may be taken that there is some good reason for silence on the part of those to whom the Question is addressed. I shall not take refuge in any technical reasons that I might give for the silence which has been complained of; but will say at once, that I do not think it would be for the advantage of the public service that the Question suggested by the noble Duke and referred to by the noble Earl, should be answered. As to not making communications to Parliament, this House, I think, was not sitting when the resolution of the Government was arrived at, and the resolution of the Government, I think, was only arrived at four days before the other House adjourned for the Recess.

EARL GRANVILLE: This House adjourned on the same day.

THE EARL OF BEACONSFIELD: However that may be, my answer to the noble Duke and the noble Earl is, that I did not think it was for the public advantage that that communication should be made. Unfortunately, we are obliged on this subject to speak with a seal upon our lips. I shall not enter upon the legal and technical discussion which has been raised this evening. If a debate had been commenced, in which the general policy of the Government was challenged, we should have been ready to enter upon the discussion with perfect fulness—in that case, we should have been quite prepared to vindicate the course we had adopted—though, possibly, we must have spoken under some disadvantage. We found, however, that the question to be raised was of a very different character, and that noble Lords opposite were to studiously avoid expressing any opinion of their own, or asking any from your Lordships' House upon the proceedings of Her Majesty's Government. I must decline, in these circumstances, to explain the conduct of Her Majesty's Government with respect to the movement of the Native Forces of Her Majesty from India to Malta. I shall be ready, my Lords, at the right time, and so also will my Colleagues be ready, and that without hesitation, to enter upon any discussion your Lordships' House may require on this matter; and I have sufficient confidence in the patriotism of this House to feel no doubt that the result of any such discussion will not be to the disadvantage of Her Majesty's Government. The noble Earl who has just addressed your Lordships (Earl Granville) has sketched the more important parts of the speeches delivered by the noble and learned Lord who introduced this discussion, and of my noble and learned Friend on the Woolsack. I myself listened to both those speeches with instruction, and certainly with pleasure.

At the same time, I have a right to form an opinion as to those speeches as well as the noble Earl, and I must say that the shield was on one side silver, and on the other golden; but it seems to me that our side was the more precious metal. It appeared to me that the noble and learned Lord who introduced the question (Lord Selborne) most ingeniously treated a variety of subjects which have for a long time now been under public discussion. I must, with all humility, observe, that there was nothing very novel in the noble and learned Lord's materials, nor was there anything eminently felicitous in his treatment of them. My noble and learned Friend on the Woolsack met the charge of the noble and learned Lord in a bold and complete manner, and demonstrated that the batteries which the noble and learned Lord had attempted to raise against the Government were powerless, and that for the attack he made there was really no foundation whatever. It appeared to me that the noble and learned Lord, in a most laboured manner, discovered—if I may use so unclassical a word in this Assembly—only a mare's nest. What were the only arguments used in a speech of two hours, and which was answered in a speech of equal length?—not longer, for I particularly watched the time of each—it showed a great knowledge of each other's powers that the orations should have balanced so exactly. Two arguments were urged by the noble and learned Lord, which I must say have been urged before, but urged to-night, of course, with the greatest ability of which they were susceptible. The first was this—You have no right whatever to move Her Majesty's Native Forces from India to Malta; the second was, you have not only no right to do that, but you have no right to call upon India to bear the expense of such movement. These were the two great points—one point for each hour. Now, my Lords, let us see how the matter stands. We entirely dispute the first proposition. The noble Earl who has just sat down says—"I object to your conduct, and I object to it on this broad ground, that you had no right to move those troops from India without the consent of Parliament." In fact, the noble Earl recommended to our consideration to-night that very unfortunate Amendment of Mr. Gladstone's which has been referred to, and which, at the time it was submitted, he opposed with so much energy and dignity in this House. Well, the noble and learned Lord bases this first point upon the Mutiny Act. My Lords, we entirely dispute his interpretation. We maintain that there is no reference whatever to Native Indian troops in the Mutiny Act. The Mutiny Act does not refer to Native Indian troops, and, therefore, the charge against the Government is one which cannot hold. On the other hand, we say that we have a perfect right to advise Her Majesty to exercise Her undoubted Prerogative, and that, under that advice, She may command Her Native Indian Army to occupy Malta or any other place to which Her responsible Ministers advise Her that, owing to public necessity and for the public advantage, they should go. Well, my Lords, what is the next point of the noble and learned Lord. He says—"You have no right to fasten this expenditure upon the Revenues of India." Well, we are not going to fasten this expenditure upon the Revenues of India. The noble and learned Lord admits that, virtually speaking, we do not intend it; but, practically speaking, he says there is an expenditure immediately incurred in transactions of this kind, and it is to the Indian Treasury that you look—it is the Indian Treasury that you have already drawn upon and appealed to in order to carry on the expenditure, and you have no right to get out of the difficulty by saying that it is your intention to introduce a Supplementary Estimate into the other House of Parliament at the first convenient opportunity. I ask, in what way can we really comply with our engagements to this country and to the Indian Treasury, but in the manner which is now proposed to be followed by the Government? The noble and learned Lord, who has been a Minister of the Crown, must know very well that the accounts between England and India are of a very considerable character. They have this peculiarity, I believe—namely that the Debt of the Indian Treasury to the Treasury of England is generally very large, and thus far, if even for two or three months, the Supplementary Estimates were not carried in Parliament, still the Indian Treasury would be perfectly safe, because it would probably owe that of England a much larger sum. The noble and learned Lord, in working his two points, dwelt very much upon one precedent—the Abyssinian Expedition—and, although he treated that precedent with dexterity, I do not think he did so with that ingenuousness which distinguishes his character. The noble and learned Lord showed by various documents—by researches which no one disputes — that there were considerable advances made at that time by the Indian Treasury, and says that those advances were illegal; but the noble and learned Lord chose to forget that at the time no one in the other House of Parliament, where, from its financial character, the question must have been brought forward, nor in this House, so far as my knowledge or recollection guides me, disputed the authority of the Crown to employ the Native Indian troops of Her Majesty on that Expedition. The question which was raised was of a financial character; but the noble and learned Lord avoided reminding your Lordships that the question as to the movement of the Indian troops beyond the boundaries of India was not in the course of those discussions for a moment referred to. That, my Lords, is my answer to the two great points of the speech of the noble and learned Lord. I maintain, and those who act with me maintain, that there is no allusion to the Native Indian Army in the Mutiny Act—that that Act refers to the European—the White troops—of Her Majesty, and not to the Native Indian Army. I cannot believe that anyone who has listened to my noble and learned Friend on the Woolsack can have a doubt that the opposite conclusion could not be successfully asserted. There, then, is an end of one of the great bases on which the question urged by the noble and learned Lord was founded. And, with regard to the other —namely, the illegality of the Indian Treasury bearing for the moment certain expenditure, I think your Lordships must feel that, under the circumstances, that was really trifling with the question. The noble and learned Lord could not have flattered himself that he was establishing the fact as against Her Majesty's Government that they did not intend that the expenditure should be repaid to the Indian Treasury. We have heard the noble and learned Lord opposite, and my noble and learned Friend on the Woolsack indulge in a great gladiatorial duel. We have had the pleasure of witnessing that between two of our most eminent Members. I can only say we are perfectly satisfied with the discussion—except that we would have preferred either silence, or a fair outspoken issue. I do not think that discussions like the present at this moment are to the public advantage. If the noble and learned Lord who introduced this question (Lord Selborne) believed that we have acted contrary to the Constitution, he ought to act up to his tall phrases—he should have come forward and declared his belief that our action was unconstitutional, and that it was his duty to ask the opinion of Parliament upon it. The noble Earl who last spoke said they did not do that because they would not like being in a minority. But you will never be in a majority if your nerves are so delicate. You must assert your opinions without fear; and, if they are just, and true, and right, you will ultimately be supported by the country. But at this moment I do not think they are just, or true, or right; or, rather, I would say—although it has been said so often it may be repeated—that what is true is not new, and what is new is not true. That is my general view of the speech of the noble and learned Lord. It has given us an opportunity of hearing my noble and learned Friend on the Woolsack make a completely exhaustive discourse on this subject, and I hope to-morrow the moral and beneficial effects of this discussion will be felt not only in this House, but in the country. I must for a moment revert to what I can assure the House I would like to have passed—for I wish to regard matters of this kind with not too serious a feeling. I have expressed my regret that this discussion should have arisen at this particular moment. My lips are shut. I should like, of course—and all my Colleagues would, I am sure, like—if we could come forward and do that which we should be prepared and glad to do—to vindicate our policy and give our reasons, which I hope would be satisfactory to the country, for all the measures that we have recommended and introduced. We have been animated by one feeling throughout this business, which sustains and, I hope, inspires us at present, and that is to secure the blessings of peace, and to maintain the freedom of Europe and the just position of this country. We are striving at this moment to attain those results. But it is impossible at this particular moment to meet discussions and attacks of this kind, and vindicate our conduct, without our having to make statements and enter into arguments and details which might be prejudicial to those great objects which not only ourselves, but I am sure equally the noble Lords opposite, must desire to accomplish and achieve. I would willingly take no part in the discussion to-night, but the noble Earl opposite challenged me to rise, and he is a knight to whom one owes every courtesy. Therefore it is that I make these few remarks in this discussion; and, in answer to the noble Duke who spoke behind me (the Duke of Rutland), he may urge the question again and again in this House, but until the time arrives when we can enter into a complete vindication of our policy, all I shall answer is—what we have done we have done with the belief that it was done for the public service; and, though you may condemn us, we will remain silent under the accusation, sooner than vindicate our conduct by injuring the public we are bound to serve.

House adjourned at half past Ten o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 20*th May*, 1878.

MINUTES.]—New Members—John Gilbert Talbot, esquire, *for* the University of Oxford (*sworn*); George Palmer, esquire, *for* Reading (*affirmation*).

Supply — *considered in Committee* — *Resolutions* [May 16] *reported.*

Private Bill (*by Order*)—Clare Slob Land Reclamation, 3º *.

Public Bills—*Second Reading*—Local Government Provisional Orders (Artizans' and Labourers' Dwellings) * [162]; Local Government Provisional Orders (Darenth Valley) * [175]; Local Government Provisional Orders (Belper Union, &c.) * [164].

Second Reading—Watch Cases (Hall Marking) * [128], and referred to Select Committee on Gold and Silver (Hall Marking).

Withdrawn—Money Laws (Ireland) * [56].

PUBLIC PETITIONS.

PUBLIC PETITIONS COMMITTEE.

Special Report *brought up*, and read—

"Your Committee, having examined the signatures to three Petitions presented on the 18th of February last and on the 1st and 11th of March last from the city of Dublin and its vicinity in favour of the Intoxicating Liquors on Sunday (Ireland) Bill, have to inform the House that to these Petitions a certain number of signatures have been appended which seem to have been attached, without authority, by persons other than those purporting to have signed. Your Committee feel it their duty to report these informalities to the House, though they do not recommend any further action in respect of them."

Report to lie upon the Table, and to be *printed.* [No. 188.]

QUESTIONS.

MILITARY AND NAVAL EXPENDITURE.

QUESTION.

Mr. RYLANDS asked Mr. Chancellor of the Exchequer, What is the estimated monthly charge at the present time for Army and Navy Services in excess of the provision in the Army and Navy Estimates, taking into account the cost of calling up the Reserves, of the additional ships in commission, of the war at the Cape, &c., but exclusive of the cost of the troops on their way from India to Malta, for which an Estimate is to be presented; and, when Supplementary Estimates for this excess will be laid before the House?

The CHANCELLOR of the EXCHEQUER: I understand the hon. Member to ask what is the estimated monthly charge for Army and Navy Services, exclusive of the cost of troops coming from India to Malta? The Supplementary Estimate, with regard to those troops, will, I hope, in the course of a few days, be laid on the Table. With respect to the other Question, it is a little difficult to form, at the present moment, any very clear estimate; but I have endeavoured to obtain from my two right hon. Friends the best information they can give me. I find that from the War Office it is said that the cost of calling out the Reserves may be taken at about £140,000 per month, including the separation allowances. As to the war at the Cape, the Imperial cost is £5,000, and the Colonial cost about £20,000 a-month. These amounts can only be approximate. Many of the charges will be terminable and will not continue at so much per month. It would be difficult to take a Supplementary Estimate other than for the Indian Force until somewhat later in the financial year, when we can see what our position is. With regard to the Naval Services, my right hon. Friend gives me a calculation showing a monthly expenditure on extra ships in commission, the cost of pensioners, wages in the Dockyards, the cost of stores, the coals for the Mediterranean, extra freight, and so forth, running up to a total of somewhat less than £50,000 per month, which, with about £10,000 for contingencies, will make, perhaps, £60,000 per month. That is the information as we have it at present; but it would hardly be desirable to lay on the Table Supplementary Estimates for these expenses until a little later—perhaps at Whitsuntide—when we can see what our position is. The Indian Estimate, as I have stated, will be laid on the Table in the course of a few days.

CRETE.—QUESTION.

Mr. EVELYN ASHLEY asked Mr. Chancellor of the Exchequer, Whether Her Majesty's Government will use their good offices to secure an armistice between the Turkish forces and the insurgents in Crete, in view of the fact that otherwise the forces liberated by the armistice just concluded in Thessaly, owing to the efforts of the British Government, will be employed to crush the Cretans?

The CHANCELLOR of the EXCHEQUER: Yes, Sir; Her Majesty's Government have been, and are now, using their good offices for that object.

CHARGE OF ARSON.—QUESTION.

Mr. ISAAC asked the Secretary of State for the Home Department, Whether it is true that eight boys, of thirteen, twelve, and ten years of age, were arrested by the Police between midnight and the morning of Wednesday last at Moulton, Mid-Cheshire, and lodged in the lock-up of Northwich on a charge of arson; whether the case was adjourned, bail refused, and these children locked up for the night; whether, on the case being heard, the Magistrates, without hearing the solicitor for the defence, discharged the boys, saying—

> "He did not think there was any case. He did not see any evidence to bring the charge home to the boys. It was not even proved that they were in the building;"

if it is true that five of the boys attended the National School at Davenham, and, consequent on this arrest, were absent from the Government inspection, one of the boys having to receive a prize for good conduct; and, whether he will direct measures to be taken to prevent the Police in this district in future from taking young children from their beds during the night without sufficient evidence to warrant such action?

Mr. ASSHETON CROSS, in reply, said, he thought the facts were truly stated in the Question. He had no control over the county police; but the matter had already been taken in hand by the local authorities, and the police cautioned to be more careful in future. At the same time, he was bound to say that when those boys were brought before the magistrates, evidence was given that they had been seen playing about the building together with a match-box in their possession.

ORDNANCE SURVEY.—QUESTION.

Mr. WILLIAMS WYNN asked the First Commissioner of Works, If he is aware that there is no more recent Ordnance Survey of the county of Montgomery than that on the original 1-inch scale, published nearly 50 years ago, and now quite incorrect as to roads, &c.; if he would state why the 6-inch survey of Denbighshire, the triangulations for which actually extended into Montgomeryshire, was not continued over the whole of the latter county; and, if he can hold out any hopes of its being so extended; and, what prospect he can hold out of the publication of the portions of the 6-inch survey of the counties of Denbigh and Flint, which it is understood are already completed?

Mr. GERARD NOEL, in reply, said, there was no more recent Ordnance Survey of the county of Montgomery than that which was made about 45 years ago, and it could hardly now be so accurate as might be desired. It had been decided to survey the counties of Denbigh and Flint because of their rich mineral products, and in order to carry that out a portion of Montgomeryshire was to be surveyed.

CONTRACTS FOR WATERING THE STREETS.—QUESTION.

MR. BECKETT-DENISON asked the Chairman of the Metropolitan Board of Works, If he will lay upon the Table of the House Copies of the Contracts for Watering and Scavengering the streets for 1878, entered into by the under-mentioned Vestries and District Boards —1. Saint James, Westminster; 2. Westminster District; 3. Strand District; 4. Saint Giles District; 5. Holborn District; 6. Saint George, Hanover Square; 7. Saint Marylebone; 8. Paddington; 9. Kensington; 10. Fulham; 11. Chelsea?

SIR JAMES M'GAREL - HOGG: I should be very glad to comply with the wishes of the hon. Member if it were in my power; but I have no exclusive information, in virtue of the office which I hold, respecting the contracts entered into by the vestries and district boards, and I must refer him to the vestry clerks of the parishes mentioned in his Question. If I can render him any assistance in obtaining the information from those gentlemen, I shall be happy to do so.

LOCOMOTIVE ACCIDENT NEAR LEEDS.

QUESTION.

MR. BARRAN asked the Secretary of State for the Home Department, If his attention has been called to a serious injury that was done on the 11th instant to an old woman, seventy-five years of age, by a locomotive engine on Hunslet Moor, near Leeds, whilst walking on the footpath alongside a tramway which is laid down across the Moor from the Middleton Collieries; whether he is aware that the tramway in question is traversed by locomotives without Parliamentary sanction, and is so unguarded and uncontrolled as to be dangerous to the numerous persons crossing the Moor; and, whether he would direct an official inquiry to be made with a view to protect the public against similar accidents?

MR. ASSHETON CROSS, in reply, said, that the accounts he had received represented the case to be absolutely hopeless. As, therefore, there would probably be a coroner's inquest held on the case in a few days, he did not think it necessary to institute any official inquiry into the circumstances.

SOUTH AFRICA.—QUESTION.

MR. ALEXANDER M'ARTHUR asked the Secretary of State for the Colonies, Whether his attention has been directed to the following statement, which appeared in the "Times" of May 3rd:—

> "The chiefs of two tribes situate south of Pongola (Magnami and Job) have expressed their opinion, in presence of an Englishman and some of their inounas, that they would be pleased to see the Zulu country in the hands of the English, as it would relieve them from the present slavery they are in with regard to the Zulus. The Aborigines' Protection Society may not be aware that some few months ago 1,000 Caffirs were drafted from these two chiefs to work in Natal by Cetywayo, the Zulu chief, and that the money they earned was not paid to them but to the Zulu king; and the whole thing has left such a bad impression that it is almost impossible to get a single native from them to go to Natal;"

and, whether, if this statement is true, he will take steps to free the immigration of native labourers to Natal from the abuses complained of?

SIR MICHAEL HICKS-BEACH, in reply, said, that he had no information whatever respecting the statement that had been read; but he would direct the Lieutenant Governor to make inquiries into the subject.

RETIREMENT FROM THE ARMY.

QUESTION.

COLONEL NAGHTEN asked the Secretary of State for War, Whether, having regard to the Order in Council of the 15th January 1878, which allows officers of the Royal Marines who entered the Service before April 1, 1870, to count their services from eighteen to twenty years of age towards retirement or pension, he will consider the advisability of allowing officers of the Army who joined it before the abolition of purchase to enjoy the same privilege?

COLONEL STANLEY, in reply, said, that, as the decision with respect to the Royal Warrant last year had been arrived at after careful consideration between the War Office and the Treasury, he was not prepared to consider the advisability of altering it.

GRAY'S INN ROAD.—QUESTION.

MR. J. G. HUBBARD asked the Secretary of State for the Home Department, Whether his attention has been directed to the dangerous insalubrity of some dwellings in Gray's Inn Road; and, whether he can explain why apparently no steps are being taken for the reconstruction of the adjacent district, although a scheme for that purpose was the very earliest among those which were suggested in pursuance of the provisions of the Artizans' Dwellings Act?

Mr. ASSHETON CROSS, in reply, said, that it was quite true that the part of London referred to had been reported upon by the medical authorities, and he could not conceive any worse place in the whole of London. The scheme that was originally presented by the officers of the Metropolitan Board of Works was a large and comprehensive one; but, unfortunately, the Metropolitan Board of Works cut down that scheme, and presented to him such a mutilated scheme that he thought it utterly unworthy of its being passed into law, and he repudiated it. He had been told that during the last Session the Metropolitan Board, under one of their Improvement Acts, but not under the Artizans' Dwellings Act, obtained power to pull down one side of the Gray's Inn Road, which would remove some of the worst descriptions of the dwellings, and he understood that power was being exercised as speedily as possible. If the right hon. Gentleman wished to obtain any further information as to the action and intention of the Metropolitan Board of Works, he would refer him to the Chairman of that Board (Sir James M'Garel Hogg).

EVANGELICAL DISSENTERS IN RUSSIA.

QUESTION.

Captain PIM asked the Under Secretary of State for Foreign Affairs, If his attention has been called to an article in the "Globe" of the 8th instant, describing the sufferings and persecutions to which the Stundisli or Evangelical Dissenters are now subjected in Russia, and pointing out—

> "That they had commenced operations in 1870, first by holding a prayer meeting in secret and then extending their influence openly, until at last whole parishes had joined the heterodox faith. For doing this and persisting in weaning the peasants from their orthodox belief in the holy images, saints, and candles, the prosecutor demanded that the three offenders should be exiled to the Mines of Siberia,"

although they had already suffered three years' imprisonment without trial; and, whether Her Majesty's Government would use their good offices to ameliorate the condition of these Christians so that their condition might in some degree be assimilated to that of their nonconformist brethren in this country?

The CHANCELLOR of the EXCHEQUER: I regret to say that my hon. Friend the Under Secretary of State for Foreign Affairs is still prevented by indisposition from being present. He has, however, enabled me to answer this Question, and I have to say that no information has been received at the Foreign Office respecting the persecution in Russia of the sect referred to, and it would not appear to be a matter in which Her Majesty's Government can use their good offices.

THE CHEFOO CONVENTION.

QUESTION.

Mr. Alderman W. M'ARTHUR asked the Under Secretary of State for Foreign Affairs, Whether the Chefoo Convention, made by Sir Thomas Wade with the Chinese Government in September 1876, has been ratified by Her Majesty's Government; and, if so, why the Papers relating thereto have not been laid before Parliament; whether China has fulfilled in good faith her part of the Treaty, and opened the several ports promised therein; and, whether he is aware that great dissatisfaction prevails in China in consequence of the delay in carrying out the stipulations agreed upon by Her Majesty's Plenipotentiary?

The CHANCELLOR of the EXCHEQUER: I am informed that Her Majesty's Government have not yet formally approved of the whole of the arrangements concluded by Sir Thomas Wade. Some of its stipulations cannot come into operation without the concurrence of the other Treaty Powers. The Report of the Indian Government on the clauses relating to the opium trade are still under consideration by Her Majesty's Government, and they hope shortly to be able to announce the decision they have arrived at. The Chinese Government have opened the new trading ports in accordance with the terms of the Treaty, although the stipulations as to the posting of the Proclamations have not been fulfilled in some parts of the country. Her Majesty's Government are not aware that any great dissatisfaction prevails in China on the ground that the Convention has not been ratified.

GROCERS' LICENCES IN SCOTLAND.

QUESTION.

SIR ROBERT ANSTRUTHER asked the Secretary of State for the Home Department, Whether the Government are prepared to bring in any measure to carry out the recent recommendation of the Commission which reported upon the question of Grocers' Licences in Scotland?

MR. ASSHETON CROSS, in reply, said, he saw no prospect, in the present state of Public Business, of being able to deal with the question of grocers' licences in Scotland by any legislation this Session.

MADAGASCAR.—QUESTION.

MR. ALEXANDER M'ARTHUR asked the Under Secretary of State for Foreign Affairs, Whether, having regard to the injurious effects of the cheap importation of spirits, and especially of Mauritius rum, into Madagascar, Her Majesty's Government has had under consideration the expediency of consenting to a revision of the duties of those commodities by the Home authorities; and, whether any, and, if so, what steps, with the above object in view, have been taken by Her Majesty's consent in Madagascar?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, in the opinion of Lord Salisbury no object would be gained by altering the duties on the commodity, aud that it was manufactured in small quantities in Madagascar itself.

THE RESERVES.—QUESTION.

MR. PELL asked the President of the Local Government Board, Whether, in order to anticipate an inconsiderate addition to the number of paupers on the application of wives of men in the Reserve Forces, he will circulate a statement of the sums of money their husbands may have been entitled to receive per annum in respect of their contract with the State, their estimated equivalent weekly wages, as well as the separation allowances to which the wives and children are entitled at the cost of the State, and such other information on the subject as may be of service to Guardians in considering these applications?

MR. SCLATER-BOOTH: A Return is in preparation at the War Office, on the Motion, I believe, of my hon. Friend, which will give, as I understand, most of the information to which his Question refers. I have been in communication with the War Office on the subject, and propose to embody the particulars of that information in a letter which will be sent by the Local Government Board to an important Union in the Midland Counties, and I will take care that due publicity is given to the terms of that letter.

THE SOLWAY COMMISSIONERS.

QUESTION.

MR. PERCY WYNDHAM asked the Secretary of State for the Home Department, If he would authorise the Solway Commissioners to make a Report; and, if he would lay such Report upon the Table of the House?

MR. ASSHETON CROSS, in reply, said, that the Commissioners had not yet finished their sittings; but he would lay on the Table any Papers respecting their inquiry with which he might be furnished.

DISTURBANCES IN IRELAND.

QUESTION.

MR. M'CARTHY DOWNING asked Mr. Attorney General for Ireland, Whether his attention has been given to the inquest held in the city of Cork on the body of Richard Andrews, who was killed by a shot fired by sub-constable John Roche on the 5th instant; and, if so, whether, having regard to the statement of the jury that they had agreed to a verdict finding the said John Roche and constable Guerin guilty of manslaughter, upon which the said constables were taken into custody, and to the fact that the said jury subsequently handed to the coroner a verdict of justifiable homicide, on which the said constables were released from custody, he will cause to be made a further investigation by the proper authorities?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON): I should say that the matter was fully inquired into by the coroner, judging from the lengthened newspaper reports of the inquest referred to by the hon. Gentleman. However, I have given instructions that copies of the depositions taken before the coroner shall be furnished to me.

MALTA.—QUESTION.

SIR GEORGE BOWYER asked the Secretary of State for the Colonies, What information has been received regarding recent manifestations of public feeling in Malta; and, what steps have been or are about to be taken in consequence thereof?

SIR MICHAEL HICKS-BEACH: On May 15 the Governor of Malta telegraphed that there was great popular excitement and a demonstration against a Vote of £7,000 which he had proposed to the Council for drainage works which have for some time been in course of construction and against any alteration of the taxation, and added that a deputation had waited on him asking for suspension of action pending a reply to the Petition to the House of Commons. He was reminded, in reply, that with regard to the taxation question all that had been at present desired was public discussion, and that any proposals for a change in the law should stand over until his successor assumed the government next month, but that means must be provided to meet such portion of the cost of the drainage works now in progress as would be required during the present year. These works were undertaken because they were considered essential to the health both of the garrison and the civilian inhabitants. A large portion of their cost will fall on Imperial funds, and it is only right that the locality should bear its share. I may add that I do not gather from the Governor's telegram that any disturbance has occurred; but, of course, he will take all necessary measures for the preservation of the peace.

ORDERS OF THE DAY.

Ordered, That the Orders of the Day be postponed until after the Notice of Motion relating to the Military Forces of the Crown.—(*Mr. Chancellor of the Exchequer.*)

MOTIONS.

THE MILITARY FORCES OF THE CROWN.

RESOLUTION.

THE MARQUESS OF HARTINGTON, in rising to move—

> "That, by the Constitution of this Realm, no Forces may be raised or kept by the Crown in time of peace, without the consent of Parliament, within any part of the Dominions of the Crown, excepting only such Forces as may be actually serving within Her Majesty's Indian Possessions,"

said: Mr. Speaker, it is, of course, impossible for me, even if it were my desire, to attempt to fix any limit to the scope of the debate which may arise on the Motion which I am about to submit to the House. The measure of the Government to which I shall have to advert, and which is the cause of my Motion, is one, no doubt, of the most important character. It is one not only important in itself, but it is one of a series of measures which form part of a policy which has already engaged, to a certain extent, the attention of the House, which has already received discussion from the House, and which will probably, at some future time, receive still further consideration. But the measure, taken by itself, irrespective of its being part of the policy of the Government, is of a most grave nature. It is a measure which raises totally new questions concerning the relations between this country and our Indian Empire—which raises, probably, some of the most difficult questions connected with the problem of government in India. Compared with these considerations, I must admit that the issue to which I am now about to ask the attention of the House is an extremely narrow one; and I confess I have purposely and intentionally thus narrowed its scope, partly because we have reason to believe that negotiations are at present going on of an extremely delicate character, and because we have very recently been informed by the Chancellor of the Exchequer that, in his opinion, a general discussion of the state of affairs in the East would not be for the interest of the public service; and that, after that intimation, I do not wish to be a party to raising such a discussion. I will also admit that I have endeavoured to narrow the scope of my Motion, because I think that the issue itself which is raised in the Resolution is one of sufficient importance to merit full consideration and discussion upon its own merits, irrespective of any other consideration. Well, Sir, I need not detain the House at any length in vindicating the necessity for the Resolution I have brought before the House. It will not, I think, be denied that the claim put forward by the Government is very novel. I do not think it will be disputed that that claim, and the issue raised by my Resolution, are not simply issues of a technical character. It will, on the contrary, be admitted that they involve considerations of the greatest importance as affecting the relations hitherto existing between the Crown, Parliament, and the Army, and also the principles of financial control which Parliament has always maintained over every branch of the Administration. It will not be denied, I think, that, whatever may be the merits of the case, it is the duty of the Opposition, if the Opposition has any duties whatever—it is the first duty of the Opposition fully to examine and call in question any novel claims of this description which may be put forward, so that if they are to be admitted and to become part of our Parliamentary system, they may become so only after full and sufficient consideration. The claim of the Government is understood to be that, by the Prerogative of the Crown, they are entitled to transfer troops raised in India, and not voted by Parliament, to be made use of in time of peace, in other Dominions of the Crown. Lest there should be any mistake upon this point, I may, perhaps, be allowed to read what was stated on the subject by the Chancellor of the Exchequer. In answer to a Question from me, the Chancellor of the Exchequer said—

> "I can only say that the decision of Her Majesty's Government to order a certain number of Indian troops to Malta was one arrived at some time ago, but that it was not thought necessary, nor is it according to practice, that such a decision should be communicated to Parliament."—[3 *Hansard*, ccxxxix. 1421.]

That appears to me to bear out the statement I made that they claim to employ these troops without the consent of Parliament as a Prerogative of the Crown. The Chancellor of the Exchequer made this still more clear the same evening, when he said—

> "But, under any circumstances, I may frankly say that we should not have thought it our duty, even if we had foreseen that the matter would become public within so short a time, to have made a communication to Parliament with respect to it until the arrangements had been completed."—[*Ibid.* 1436.]

Further, the Chancellor of the Exchequer said—

> "There is no doubt whatever that this is a very important step; but it is, at the same time, a step which, after all, when you come to regard what it is, is neither more nor less than a direction given by Her Majesty for the moving of a portion of Her Forces from one part of the Empire to the other. And though it is a movement which will undoubtedly come under the notice of Parliament, and over which Parliament holds the control which it holds over all movements of British Forces—that of the right of withholding or challenging the Supplies asked for the purpose—yet, so far as the order given to Her Majesty's troops is concerned, it is an order strictly within the proper Constitutional Prerogative of the Crown, and one which Her Majesty has as much right to give as to order any portion of British troops now in England to proceed to Gibraltar or Malta, or anywhere else."—[*Ibid.* 1435.]

That is what I understand to be the claim of the Government, and it is that claim which we deny. We contend, on the other hand, that it is in India, and in India only, that Forces can be raised and maintained without the authority annually given by Parliament; and that when such Forces are transferred to any part of Her Majesty's Dominions, they would come under those conditions which govern and regulate the other Regular Forces of the Crown. I will have to ask the House to consider—and I will do it as briefly as I can—the general principles which govern the relations between the Crown, Parliament, and the Army; and I will ask them to consider, further, the exceptions to those general principles which are made in the case of India, and which conditions ought to govern the transfer of Indian Forces when they are removed to other Possessions of Her Majesty outside that country. There is no Member of this House who is ignorant that, since the Revolution, Parliament has always claimed a special control over the Regular Forces of the Crown, altogether separate from that financial control which it exercises over every branch of the Administration. That control has been asserted by three distinct guarantees. It has been asserted by the annual voting by this House of the number of men to be maintained, by the annual voting of the Supplies for their maintenance, and by the enactment for one year only of the Act for securing their proper discipline. The Bill of Rights did not specially enact these or any other guarantees. It was not an enacting Statute; it did not prescribe or lay down penalties; what it did was to lay down general principles. It was a Statute declaratory of the ancient liberties of the Kingdom which had been infringed, and declaratory of the principles which, in the opinion of Parliament, were then necessary for the maintenance and continuance of those liberties. The principles thus laid down in the Bill of Rights have been carried into force and into effect, not so much by special enactment as by a constant course of practice, precedent, and usage, which have shown what was the intention of Parliament, and what are the guarantees which Parliament thought necessary for the proper regulation and control of the Army. I wish it, I may add, to be clearly understood that I am not saying that the numbers of the Regular Army are to be limited to the exact number stated in the Preamble of the Mutiny Act. What I say is, that such number cannot be exceeded except with the consent of Parliament, and that the consent of Parliament must be obtained, if not by a Supplementary Statute, at least by a Supplementary Vote; and by a Vote, not only for the cost of the additional number of men, but by a Vote of the precise and actual number of the men themselves. Such was the doctrine laid down by Lord Hardwicke in 1734. Lord Hardwicke said—

> "As to the giving His Majesty a power by an address or a vote to raise land forces, there is certainly nothing illegal in it; for though the King cannot by law raise or keep up a standing Army in this nation in time of peace without consent of Parliament, yet, my Lords, I know of no law that directs how that consent is to be obtained; it may, in my opinion, be had by a vote or an address from each House of Parliament, as well as by an Act regularly passed in Parliament."—[*Parl. History*, vol. 9, p. 539.]

Even at the risk of repetition, what I say and maintain is, not that it is necessary that a Supplementary Statute should be passed, but that any increase to the number of the Regular Army to be raised or kept in any of the Dominions of the Crown must be obtained, if not by legislation, yet by the special consent of Parliament, and that that consent must be given not merely to the cost but to the number of the men. To illustrate what I mean, I may say that I hold—and I hardly think the Government will dispute the proposition—that it would not be within the competence of the Crown to increase the numbers of the Regular Army, even if, by some means or other, they could maintain the Regular Forces more cheaply than they had estimated. Again, I maintain that it would not be within the competence of the Crown to increase the numbers of the Regular Army, if, by means of reference to some other resource—private contributions or otherwise—it was found to be not necessary to seek the assistance of Parliament for their maintenance. The principle which I maintain, and which has invariably been asserted by Parliament is, that the consent of Parliament must be obtained to the increase in the number of men. I understood the Chancellor of the Exchequer the other night to say that by the Bill of Rights it was only from the United Kingdom that Indian or other troops were excluded. I do not know whether the Government is prepared to maintain that construction of the Bill of Rights; but it is one which was entirely repudiated more than 100 years ago. In 1775, an important debate occurred in both Houses of Parliament on the occasion of the garrisoning of Gibraltar and Port Mahon by Hanoverian troops during the American War. One defence of the Government of that day was that the prohibition in the Bill of Rights was confined to the United Kingdom; but that construction was finally repudiated by all sides in the debate. "Lord Camden," according to the records of the debate—

> "Elucidated in the most satisfactory manner the literal and obvious meaning of the clause in the Bill of Rights; adverted to the spirit of that law, as applying to the grievance which was then to be remedied; pointed out the true construction of the letter and spirit united, as interpreted for a series of almost 90 years, and during the reigns of four Princes, besides the present, three of whom were foreigners, no slight matter of consideration, and then drew this obvious conclusion—that no foreign troops could be brought into the Dominions of the Crown of Great Britain, without the previous consent of Parliament."—[*Parl. History*, vol. 18, p. 811.]

It was true that the word "foreigners" was not mentioned in the law; but would anyone infer from that, that though it was not permitted to keep a standing Army of Natives, it might be wise, constitutional, and legal, to keep on foot a standing Army of Foreigners? Lord Chancellor Bathurst spoke for the Government—

> "Deserting what he called the quibbles of Westminster Hall, and the subtle distinctions of lawyers, he allowed that the fortresses of Gibraltar and Port Mahon were fairly within the spirit and meaning of the paragraph of the Act of Settlement."—[*Ibid.* 815.]

Finally, the Earl of Shelburne said—

> "The Bill of Rights is declaratory: it supposes a law which can be found in no written book or statute whatever. It can only be looked for by recurring to its principle. The only principle that can be suggested is the danger to be apprehended by keeping a standing Force without the consent of Parliament. To do this within the limits of the Kingdom, and in time of peace, is more dangerous, and carries with it less colour of necessity. To do the same in Ireland, Gibraltar, or any of the dependencies of the Kingdom, may be less dangerous; but will any man say, there is no danger?"—[*Ibid.* 816.]

The hon. Member for Exeter (Mr. A. Mills), whose constituents appear to take a good deal of interest in this question, the other night put aside this debate as altogether beside the question; because, he said, the subject in dispute at that time was whether foreign troops might be admitted within the Dominions of the Crown without the consent of Parliament?—but that appears to me to be a total misapprehension of the argument. What was then laid down and assented to by all parties was that no troops of any kind, whether Native or Foreign, could be raised or maintained in any of the Dominions of the Crown without the consent of Parliament having been previously procured. It may be said that the Bill of Indemnity which was brought in at that time was not passed. That, no doubt, is true; but the very fact that Lord North thought it necessary, if only out of regard for the scruples of some of his supporters—who appear to have been more ticklish on these Constitutional points than some hon. Gentlemen who sit opposite now—to introduce a Bill of Indemnity, went to show that he thought it at any rate an open question, that ought to be in this case reserved; and the House, perhaps, will remember on what ground the indemnity was thrown out. It was thrown out in the House of Lords because it recited—what? It recited that there were doubts about the matter. The House of Lords declined to assert that there were any doubts at all about the matter, and rather than admit those doubts the Bill was rejected altogether. I do not think that the fact of the Bill not having been passed, and of Lord North having still kept his head upon his shoulders, can be cited as a proof that his conduct at that time was constitutional or correct, or that it received the consent of Parliament. The question is, what was asserted and admitted by Constitutional authorities at that time and the continuous course of practice since. If the House will reflect for a moment, it cannot fail to see that the limited construction of the Bill of Rights to which I have referred is not consistent with, I might say, common sense. What are the words of the Mutiny Act?

> "Whereas the raising or keeping a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law: and whereas it is adjudged necessary by Her Majesty and this present Parliament that a body of forces should be continued for the safety of the United Kingdom, and the defence of the possessions of Her Majesty's Crown," &c.

Then it goes on to say—"The whole number of such force" shall be such and such. What is the meaning of the recital of the whole number of Forces? When Parliament voted this year the number of troops to be maintained, Parliament was perfectly aware that only a certain portion of these troops were to be maintained within the United Kingdom. Parliament knew perfectly well that a large number of them would be maintained in the Colonies and in the Colonial garrisons. If the view of the Government is correct, that a large number of Native troops may be brought over to fill these garrisons and these posts without the consent of Parliament, why, then, it is obvious that a very much larger number of troops may be withdrawn from the Colonies, and concentrated in the United Kingdom, than was ever contemplated by Parliament at the time when it voted the Estimates and when it passed the Mutiny Act. I am quite aware that at a later time—in 1794—Mr. Pitt held very high language as to the power of the Crown to introduce troops into the United Kingdom without the sanction of Parliament; but I hardly think that right hon. Gentlemen opposite will make use of the authority of Mr. Pitt at that time, if they recollect that Mr. Pitt himself, at a later time, was obliged, or thought it necessary to bring in and pass the Bills of 1800 and 1806, giving the express authority of Parliament to such an increase of the Forces as he had hitherto made as being within the Prerogative of the Crown, and limiting the number of the troops which might be so introduced. I assert in general terms—not resting upon any special interpretation of the Bill of Rights, and not taking my stand upon any particular precedent, or any *obiter dictum* of any statesman, however eminent an authority he may be on the Constitution, but resting on what I believe to have been the constant usage and practice of Parliament—I assert that, in the words of my Resolution—

> "By the Constitution of this Realm, no Forces may be raised or kept by the Crown in time of peace, without the consent of Parliament, within any part of the Dominions of the Crown, excepting only such Forces as may be actually serving within Her Majesty's Indian Possessions."

When I use the term "Forces of the Crown," I believe I am using a strictly correct and technical description. I wish it to be understood that my Resolution applies solely to Regular Forces of the nature of a standing Army, and that it applies in no way—I do not wish or intend that it should apply—to the Militia Forces raised either in this country or in any of the Colonies. The latter Forces have always been regarded as being under different conditions and as not requiring any guarantees for security similar to those which have been insisted upon in the case of the Regular Forces or the standing Army. I come now to the exception which has been made in the case of India. I need not detain the House by reminding them that in almost every respect India has been, and still is, an exception to our general Constitutional system. There is no parallel in our own history, or, as far as I know, in the history of the world, to the record of our Dominion in India—originally begun by a Trading Company, and eventually becoming a great Eastern Power. When that anomaly was finally terminated, in 1858, India still remained an exception to our Constitutional system. Parliament decided—wisely I think, and of necessity—that a system more nearly approaching a despotic and absolute system of government should be applied to India, where we ruled over such vast numbers of subject-races, and where we were surrounded by a still larger number of semi-barbarous people. Parliament decided that the system of Constitutional checks and guarantees which we maintain at home and in all our Colonies and Dependencies was not suited to the government of India; and accordingly Parliament established, and still retains, a different system of government there. The Indian Army was transferred to the Crown under substantially the same conditions which it had previously existed under. Parliament did not insist in 1858 on the same Constitutional checks and guarantees in the case of the Army which was maintained for the defence of our Indian Possessions as it had always maintained in the case of the standing Army at home and in our other Dependencies. The Indian Army is not limited in numbers by an annual Vote of Parliament. It is not voted by Parliament at all; its numbers are not enumerated in the Mutiny Act; and the Native portion of the Indian Army is not even subject to the Mutiny Act. In fact, it may be described as a non-Parliamentary Army, as compared with the Army which is maintained at home and in the other Dependencies of the Crown. The Chancellor of the Exchequer has already stated that this is simply a case of moving one part of Her Majesty's Forces from one part of Her Majesty's Dominions to another. That, in my opinion, is a fallacy. It is perfectly true that Her Majesty has power; at all events, there is nothing to restrain the Crown from moving one part of the Parliamentary Army from one part of Her Majesty's Dominions to another; but what we maintain is, that when they are brought into the Dominion of the Crown outside India, those troops I have described as a non-Parliamentary Army must come under the same regulations as a Parliamentary Force. That has been partially provided for by the Act of 1858. The 55th section of that Statute enacts that the Indian Army should not be used for military operations out of India except in certain specified cases of emergency, and that they should not be made use of at the charge of the Revenues of India without the consent previously obtained of both Houses of Parliament. If that provision had been literally and strictly observed, this question could never have arisen at all. These troops have now been moved—temporarily, at any rate—on the charge of the Revenues of India. If the Act of Parliament had been literally and strictly obeyed, they would never have come for a moment on the charge of the Indian Revenues; and the Imperial Revenues could not, legally, at all events, have been charged without the previous assent of Parliament. I am not going to contend that the 55th section of the Government of India Act was mainly intended to prevent such an operation as this. It was mainly intended, no doubt, to protect the Revenues of India. That point is one to which I will come by-and-by; but I contend that one of the effects of this 55th section, if strictly obeyed, would have been to prevent any violation of Parliamentary practice. The Chancellor of the Exchequer stated the other day, in reply to my hon. and learned Friend the Member for Taunton (Sir Henry James), that—

> "The Native Indian troops of Her Majesty are not, and never have been, reckoned in the numbers mentioned in the Mutiny Acts. The Native Indian troops recently ordered to Malta are not, and ought not to be, reckoned in the number mentioned in the Mutiny Act of the present year."

That is perfectly true; but I fail to see what argument the right hon. Gentleman derives from it. I fail to see that that absolves the Government from the necessity of coming to Parliament for authority to remove these troops. It is altogether, in my opinion, beside tho question. The relations of the troops employed in India under the Mutiny Act are extremely peculiar. The British troops employed in India are under the Mutiny Act; but, nevertheless, they are not enumerated in the Preamble of the Act. The Native troops of India when employed out of India are not under the Mutiny Act; but I will show the House immediately that when they are employed out of India they have been, and ought to be, voted distinctly and directly by Parliament. My contention, therefore, is, that in time of peace, both in accordance with general principle and by the Act of 1858, Native troops cannot be moved to Dominions outside India without the consent of Parliament. I say in time of peace; because it is very well known that Indian troops have been employed frequently in time of war outside the limits of India. I have nothing to say about the Prerogative of the Crown to use these troops in time of war. I should not be prepared to admit that, even in time of war, the Crown has an unlimited power of ordering troops to be moved from India without the consent of Parliament. But we are not at war, and it is not necessary to discuss that matter now. As far as I know, the only case of employment of Indian troops in a time of peace outside India, is that of the sending of Indian troops to China after the China War. General Peel, who had been Secretary for War in a Conservative Government, and who took a great interest in all military matters in this House, called the attention of the Committee of Supply to the employment of those Indian troops in China, and remonstrated against their employment without their being voted by Parliament. General Peel said, in March, 1864—

> "Certainly, if the control of the House was necessary in any case, it must be in the case of the Indian Native troops. If any part of the Indian Native Army could be employed without a Vote of that House, those troops were altogether removed from Parliamentary control. In the case of ordinary troops there were two checks —the Mutiny Act, and the money voted by Parliament for the pay of the troops. But neither of these checks applied to Indian troops. Native Indian troops were not liable to the Mutiny Act, being expressly excluded from the operations of that measure, and were ruled by Articles of War expressly framed for India; and the House had no control over Native troops through its privilege as to money Votes, because these troops were paid, in the first instance, by the Indian Government, and the expenditure never came under the notice of the British Parliament till long after it had been incurred."—[3 *Hansard* clxxiii. 1436-7.]

That was what General Peel said in criticizing the action of the Government of the day—the Government of Lord Palmerston—and it appeared so sound to that Government that, in the subsequent year, a Vote was taken for the Indian troops employed at that time at Hong Kong; and, from that time up to 1870, so long as the troops remained there, a Vote, distinguished from Vote "A," was taken for the Native troops who were employed in the Dominions of Her Majesty outside India. That is precisely what we ask the Government to do now. General Peel, being a military authority on the other side of the House, called upon the Government in 1864 to comply with Constitutional practice, and to vote the men, wherever they might be and whoever they might be, employed upon the service of the Crown outside of India. We make precisely the same demand. If the Government intend, as the Chancellor of the Exchequer has declared, to take a Vote for the men, the case will no doubt, be greatly altered. So far, I have referred to what is the Constitutional aspect of this question; and, before I conclude, I wish to say one or two words about the financial aspect. The conduct of the Government appears to have violated both the Rules which have been made for the protection of the Indian Exchequer and the English Exchequer. As I have pointed out, I am unable to say how far the 55th section of the Government of India Act has been broken. In the year 1867, in a case somewhat similar, but not entirely so—because it was a case of war and not of peace in—1867, Indian troops were moved from India, and the assent of Parliament had not been previously obtained, Parliament not being then assembled. When Parliament met, the present Chancellor of the Exchequer was then extremely humble. He was not then supported by quite so large a majority as he now finds behind him, though I do not know that that has anything to do with the difference between his action then and his action now. The Chancellor of the Exchequer then said the point had been raised as to whether the conduct of the Government had been strictly within the law, and he was rather inclined to doubt whether, on a strictly technical interpretation of the Act, they had kept within the limits of the law. He said—

> "The point on which we are challenged, so far as I understand, is this—in the application of the Revenues of India to the purposes of the Abyssinian Expedition, as far as it has hitherto gone, we have been proceeding upon the view, not to their ultimate application without the consent of Parliament, but only to their advance for the purposes of an Expedition, which advance will be repaid by subsequent payments from the Imperial Revenue. I am inclined to think that the wording of the clause would, strictly speaking, prohibit that proceeding."—[3 *Hansard*, cxc. 360.]

The right hon. Gentleman, then, seems to have thought that he had so far violated the law, or, at all events, he regarded it as extremely doubtful, that he came to Parliament and moved a Resolution which had the effect of obtaining the consent of Parliament. Well, those scruples do not appear to trouble the Government now. We have heard nothing of any violation of the 55th section of the Government of India Act. I admit I am curious to know what explanation will be offered on the point by the Government. Well, now, has the British Exchequer received better treatment at the hands of the Government of the day than the Indian? If the cost of this movement is not to be paid out of Indian Revenue, it must be paid out of British Revenue. But the Government have obtained no authority either by a specific Vote for the purpose, or by a Vote of Credit. So far, in effect, they have pledged the credit of the country to an expenditure which it would be impossible for this House to refuse to sanction, even if it should consider the movement of troops which occasioned it impolitic. I want to know what is the justification for this course on the part of the Government? I am perfectly aware that there are occasions upon which it is necessary for the Government to take responsibility upon themselves and come to Parliament afterwards for an indemnity. But I want to know what is the justification, not of taking responsibility upon themselves, but of keeping Parliament in the dark? Parliament was sitting, according to the admission of the right hon. Gentleman, at the moment when the order was given for the movement of Indian troops. If, as was alleged the other day, it was impossible for the Government to lay upon the Table of the House an Estimate of the cost, it is perfectly well known that, according to Parliamentary practice, there are other means by which that consent might have been obtained. If the precise cost of this movement could not have been communicated, there was nothing easier than for the Government to have asked for a Vote of Credit. That is the ordinary Parliamentary proceeding in a case of unforeseen emergency of this description. A Vote of Credit, we know, was resorted to by the Government for other purposes; but the authority conferred upon them by that Vote of Credit had expired, and nothing was easier, if the Government wished to remain within the ordinary Constitutional practice, than to communicate with Parliament, who were sitting at the time, and ask for their approval at once and for a Vote of Credit. It was said, the other day, it was extremely desirable that the arrangements as to the despatch of Indian troops should not be made known. Why was it extremely desirable? That has not been explained. I can understand perfectly well that, when we are engaged in war, it may be desirable that all the arrangements of an Expedition should remain a profound secret as long as possible. We are not at war. It has been represented by the Government, over and over again, that it was not even a menace of war, but only one of a series of preparations. I should be rather inclined to call this, not in an invidious sense, a series of military demonstrations. But what is the object of that in a time of peace? To preserve peace, we are told. But how is that object to be accomplished, if the military demonstration is to be kept an absolute secret? If a demonstration is to produce any effect at all, the sooner and the more widely it is known the better. If a demonstration of the military power of this country was required, surely the demonstration would not have had a less, but a greater effect, if it had been looked upon, as it might and would have been, with the overwhelming approval of the House? I cannot see that the concealment of this movement by the Government from the House can have been intended for any other object than a deliberate assertion of the right of the Government, by the use of the Prerogative of the Crown, to make a use of our Indian Forces which has never before been attempted. Something was said about the difficulty that would have been placed in the way of making the arrangements by publicity. I should be glad to know whether the Government are still prepared to maintain that it was necessary to keep this secret from the House and from the public up to the very rising of the House of Commons, in order to facilitate the arrangements which would have to be taken? I have no desire to obstruct this operation of the Government, or this movement of Indian troops if, after deliberation, Parliament should consider it to have been a wise and well-considered step. I am not going to discuss the merits of the question now; but I do say that the House has a right, before expressing its approval of this proceeding, to consider well the grounds on which all information regarding it has been withheld from it. Now, I have only one or two words to say as to the Amendment to my Motion, which is to be moved by the Secretary of State for the Colonies. That Amendment asserts that the Constitutional control of Parliament is amply secured in two ways. It asserts that it is maintained by the provisions of the law, and by the undoubted power of this House to grant or refuse the Supplies. As to the provisions of the law, I do not know exactly to what provision the right hon. Gentleman refers. I have endeavoured to show that the Constitutional control of Parliament over the Army is rather the result of practice and of precedent than of any special enactment. I have endeavoured to show, also, that, in my opinion, the claim of the Government in this case is inconsistent with the Declaration contained in the Bill of Rights. Well, if that is so, then either the provisions of the law referred to in the Amendment are insufficient, or, if they are sufficient, they must have been violated. I do not know to what provision precisely the right hon. Gentleman refers. If he refers to the Act of 1858, to which I have alluded before, then I admit, with the right hon. Gentleman, that the provisions of the law would have been sufficient if they were observed. But, unfortunately, they have not been observed; and, I suppose, the Government would say, with good reason. But it is impossible to maintain that those provisions are sufficient, and also, at the same time, to maintain that they are such as, whenever an emergency arises, they must necessarily be broken. Then, as to the undoubted right of the House to grant or to refuse the Supplies, I have already endeavoured to prove—I think not altogether unsuccessfully—that Parliament has always required in the matter of the Army something more than the financial check for securing the control over it. Parliament possesses a financial control, undoubtedly, over every branch of the Administration. In the case of the Army, I have endeavoured to show that Parliament has required something more than that. But what does the financial control, to which the right hon. Gentleman refers, amount to? What is the question which will be put to this House, and which this House will have to answer, when the Estimate of the Chancellor of the Exchequer is submitted to us? That question will be, whether the House will recoup — whether it will provide for an expenditure which has already been incurred temporarily and illegally out if the Indian Revenues, and which, if this House refuses to make it good, must continue to be paid illegally and unjustly out of those Indian Revenues? Sir, that is the sole question which will be put to the House when the Estimate is submitted; and how can it be maintained for a moment, when the discretion of the House is limited to answering "Aye" or "No" to such a question as this, that a control of that sort enables us to exercise any real or substantial control over a proceeding of this kind? There is no doubt that the financial control possessed by Parliament is a very substantial one when it is previously asked for. But when, as in this case, it is asked for only subsequently to the expenditure, and when no power of Parliament can prevent its being incurred, and it has only to pay the bill, then I say, if the Government which has taken on itself a responsibility of that character appeals to Party, and turns the question into a Vote of Confidence, Parliament has no check whatever. Well, the Amendment of the right hon. Gentleman, not depending altogether on its argumentative part, concludes with something which is extremely like a Vote of Confidence in Her Majesty's Administration. I think it is a very unusual course for a Member of a Government to move a Vote of Confidence in his own Administration. That is a point on which I do not wish to dwell. But it appears to me that the effect of the conclusion of the right hon. Gentleman's Amendment—I do not know whether that is its intention—would be to widen the scope of this discussion. I have stated, at the outset of my remarks, why I thought it was desirable on many grounds—and mainly on consideration of what has been said by the Chancellor of the Exchequer—that a wide scope should not be given on this occasion to the discussion. If the Government now think that a different course should be taken, we shall know how to judge on a future occasion how much value is to be attached to representations such as those made to us a very short time ago by the Chancellor of the Exchequer; and we shall also be able to form some sort of an opinion on the relative value which is placed by Her Majesty's Government on the public interests and on Party convenience. No doubt, if Her Majesty's Government choose to put the question that I have raised aside by bringing forward a Vote of Confidence in themselves, it is perfectly within their competence to do so; and I have no doubt, also, that it is within their competence to carry it. But I must say, in the interests of fair and free Parliamentary discussion, I think I have a right to protest against such a course as this, which, it seems to me, might be employed to cover or evade any breach whatever of the Constitution. These are all the remarks which I think it necessary to make with respect to the Amendment of the right hon. Gentleman. I have endeavoured as well as I am able—and, I am afraid, most imperfectly — to lay before the House the great Constitutional issues which, I think, are raised by the proceedings of the Government in relation to the Constitution of this country; and I submit, with confidence, the Resolution of which I have given Notice to the judgment of the House.

Motion made, and Question proposed,

"That, by the Constitution of this Realm, no Forces may be raised or kept by the Crown in time of peace, without the consent of Parliament, within any part of the Dominions of the Crown, excepting only such Forces as may be actually serving within Her Majesty's Indian Possessions."—(*The Marquess of Hartington.*)

SIR MICHAEL HICKS-BEACH, in rising to move the following Amendment:—

"That this House, being of opinion that the constitutional control of Parliament over the raising and employment of the Military Forces of the Crown is fully secured by the provisions of the Law, and by the undoubted power of this House to grant or refuse Supplies, considers it to be unnecessary and inexpedient to affirm any Resolution tending to weaken the hands of Her Majesty's Government in the present state of Foreign affairs,"

said: Sir, the last thing that I should wish to do would be to object to the raising and the full discussion of a Constitutional question, however inopportune the time, or however small the leisure at the disposal of this House. To us, at any rate, if to any Party in this House, the Constitution of our country should be dear; and all that I would say with regard to the action of the noble Marquess is, that I think it is a subject of congratulation for the present, and of happy augury for the future, that so strict and careful a jealousy for the English Constitution in matters relating to the control of the Army should be shown by those who are responsible for the Royal Warrant for the Abolition of Purchase. Now, the noble Marquess has raised this as a Constitutional question, and has complained, to some extent, that his Motion should be treated by us as a Vote of Censure. I have, Sir, but to refer to the mode in which that Motion has been received by some of his own Followers, to the Notices which have been withdrawn in its favour, and the support which has been given to it by certain obscure sections of people in the country, to justify us in regarding it as something more than an abstract discussion of Constitutional questions, and as being accepted, if not intended, as a Vote of Censure on Her Majesty's Government. Now, on our behalf, I have to say that we do not admit the accuracy of the statement of Constitutional or legal doctrines contained in this Resolution. We do not accept the argument of the noble Marquess as to our position in connection with the question; but we maintain that we have acted in this matter for the best interest of the Empire, and that in that action we have not in one tittle violated either the Constitution or the law of the Realm. And I must add that, to some extent, the circumstances in which this Motion has been proposed, carry with them its refutation. For what has happened in "another place?" There, if anywhere, both Parties in the State can muster their leading Constitutional authorities. There, if anywhere, a violation of the Constitution—had any occurred—would be discussed and voted upon with perfect freedom independence, and absence of Party feeling; yet there it is that no one has ventured to propose a Motion that, in this matter, Her Majesty's Government have acted in violation of the law and Constitution of the country; and the action of the noble Marquess himself is, I think, an additional proof of the weakness of his case—for I have that belief in the straightforwardness of his character, that I am confident that if he had really believed that we had violated either the Constitution or the law, he would put that issue plainly to the House, and would not have contented himself with a Resolution of the character of a Constitutional truism. Now, what are we accused of having done? In the first place, there is no question whatever of the movement of foreign troops. The noble Marquess referred to debates on this subject a century old—debates of which the results were scarcely favourable to his view; because, whether in 1775 or 1794, both Houses of Parliament, by large majorities, approved the course of the Ministers of the day; and, when a Bill of Indemnity was proposed, perhaps under circumstances somewhat similar to those of the present Motion, by a noble Lord who was acting rather on account of the demands of his Followers than on his own view of the merits of the question, it was rejected by the House of Lords, not on account of the Preamble, but because it was inconsistent with the Vote they had come to, and no need whatever existed for the passing of such a Bill. I do not propose further to refer to those debates. The question now before the House is not a question of the movement of foreign troops, nor even of troops that can be separated from the other Forces of the Queen. What was the use of passing the India Act of 1858, if it did not assimilate and unite the East India Forces, whether European or Native, to the other Forces of the Crown? After having united these Forces into one Army, are we to be unable to use them? The argument of the noble Marquess, if carried to its full logical extent, would not merely hinder us from using the Native Indian Army, but must lead to its entire abolition; for what is the good of a Force that cannot be used by this country in the time, perhaps, of its greatest need? The Native Indian Army is as much a part of the Forces of the Crown as any other part of Her Majesty's Army; but we are told that the undoubted Prerogative of the Crown, under which the Army can be moved from one portion of the Empire to another, is limited in the case of these Indian Forces. Now, it rests with those who assert the existence of such a limitation to prove it; and I have failed to find, in the speech of the noble Marquess, any proof of the kind. I do not admit that there is anything in the Constitution or in the law which prohibits their movement to any part of Her Majesty's Dominions, unless it be to the United Kingdom. And, in connection with this subject, I must demur to the statement with which the Motion of the noble Marquess concludes, that the Forces actually serving within Her Majesty's Indian Dominions are excepted from the consent of Parliament. In the first place, I would remind the noble Marquess that the consent of Parliament implies something more than a Vote by this House in Committee of Supply; it implies something more than the mere recital of the numbers in the Preamble of the Mutiny Act; it implies an Act of Parliament; or, at any rate, a solemn Resolution arrived at by both Houses of Parliament. The noble Marquess admitted that it was not necessary to adhere strictly to the number of the Forces serving in this Kingdom enumerated in the Mutiny Act; but he added, that no increase to those numbers could be made without the consent of Parliament. Now, it is easy to prove that this enumeration in the Preamble of the Mutiny Act is really, so to speak, not an essential part of that Act, but a recitation of the Vote already arrived at by the House in Committee of Supply. Until 1717, the numbers were seldom mentioned in the Preamble of the Mutiny Act. From 1713 to 1812, the men serving in the Colonies, India, and the Peninsular, were not included. In later times, the numbers mentioned have not been invariably adhered to even in the United Kingdom. In 1820, many thousand men were raised beyond those mentioned in the Preamble of the Mutiny Act, Lord Palmerston defending it on the plea of urgency. In 1858, there were 15,000 men raised in excess of the numbers stated in the Preamble. And what happened in 1870? The Mutiny Act of that year was, as usual, passed early in the Session, and towards the close of the Session, in consequence of the state of foreign affairs, the right hon. Gentleman then Prime Minister, came down to the House of Commons and proposed, not a Vote of men, but a Vote of £2,000,000 to pay 20,000 men in addition to those already voted by the House. That Vote was passed by this House; but it cannot really be argued from that circumstance that the consent of Parliament was obtained to that increase of the Army, because a Vote of the House in Committee of Supply, as the hon. and learned Member for Oxford knows full well, is not the consent of Parliament. [SIR WILLIAM HARCOURT: The Appropriation Act.] Does the hon. and learned Gentleman mean to say that the inclusion of the £2,000,000 to pay these men in the Appropriation Act is the consent of Parliament?

SIR WILLIAM HARCOURT: As the right hon. Gentleman has appealed to me, I must say, that in the Appropriation Act of 1870, the number of men was mentioned as well as the money.

SIR MICHAEL HICKS-BEACH: I am unable to refer to the Act at present; but my right hon. Friend the Chancellor of the Exchequer says, to the best of his recollection, that the numbers were not mentioned at all. But even if they were, are we to be told that the scruples of the noble Marquess are sufficiently met by the mere mention of the numbers in a Schedule of the Appropriation Act, an Act which deals with all the annual expenditure voted by Parliament, and which the House of Lords cannot amend. However, that is a point which the hon. and learned Gentleman can take up when he addresses the House. It is not material to the point I am arguing—namely, that the numbers named in the Preamble of the Mutiny Act have, on several occasions, not been taken as limiting the strength of the Army in the United Kingdom. And, further, if we are to consider the actual wording of the noble Marquess's Resolution, and include within the Forces of the Crown all those that can properly be included in that designation, it is notorious that the Army Reserve, the Militia, the Volunteers, and the Indo-European Forces, never have been included in the numbers mentioned in the Preamble of the Mutiny Act. Therefore, it by no means follows that, because any part of Her Majesty's Forces is not included in the numbers named in the Preamble of the Mutiny Act, that it is not raised with the consent of Parliament. There can be no question whatever that the Indian Army, though not mentioned in the Mutiny Act, is raised with the full consent of Parliament. The Native Indian Army was raised at first by virtue of the Charter of the East India Company. That Charter was confirmed by a series of Acts of Parliament which empowered them to make laws and regulations for the discipline of the Army. I think the first Act giving that power was the 53 *Geo.* III., c. 153; but the next is one to which I would call the special attention of the House, because it is very material to a branch of the question we are discussing—that is, the 4 *Geo.* IV., c. 81. That Act confirmed the previous Acts by which power was given to the East India Company to make regulations for the government of their Native Indian Forces—

> "Whenever any portion of such Native troops shall be serving in any country or place out of the possessions or territories which are, or may

be, under the government of the East India Company, whether such be the Dominions of His Majesty or elsewhere."

I think that clearly proves that the possible service of the Native Indian Army outside the possessions of the Company, and within the Dominions of His Majesty, was absolutely recognized by Parliament. The Act 3 & 4 *Will.* IV., c. 85, gave power to the Government of India to make Articles of War, and provided for courts martial wherever the troops might be serving; and, under the Articles of War framed under that Act, the Native troops are to go wheresoever they may be ordered, by land or by sea, and are to obey all the commands of the officers set over them, and courts martial might be held outside the limits of India. And now, Sir, I come to the last Act dealing with the subject—the Government of India Act. By that Act, the Forces of the Company were transferred to Her Majesty the Queen, and the 55th section of that Act, to which the noble Marquess has referred, clearly contemplates the service of those troops without the Indian Possessions of Her Majesty, and without the consent of Parliament. ["No, no!"] The words are—

> "Except for preventing or repelling actual invasion of Her Majesty's Indian possessions, or under other sudden and urgent necessity, the Revenues of India shall not, without the consent of both Houses of Parliament, be applicable to defray the expenses of any military operation carried on beyond the external frontier of such Possessions by Her Majesty's Forces charged upon such Revenues."

That clearly implies, that in certain cases, these troops may be used beyond the limits of those Possessions without the special consent of Parliament. ["No, no!"] All that the section does is to provide that, except in such cases, the Revenues of India shall not be charged with the expense of using them, without the consent of Parliament. It does not hinder such use at any time, if the expense is otherwise borne; and anyone who will look at the debates on this section will see that it was carefully altered so as to meet objections which were made that, in its original shape, it interfered with the Prerogative of the Crown in moving these troops. But, if I turn from the law to the facts of the case, what do I find? I find that these Native Indian troops have frequently been so moved and used beyond the limits of Her Majesty's Indian Empire. It is not necessary to refer to cases in which they have been used in time of war. I will simply mention cases in which they have been moved to other places in Her Majesty's Dominions in time of peace. There are two special instances of that having been done—in the first place, a regiment of Madras Native Infantry garrisoned Singapore, after it was transferred to the Colonial Department, from April 1867 to 1871; and Hong Kong was similarly garrisoned from 1868 to 1871. I do not know whether it will be argued that those places are within the old limits of Her Majesty's Indian Possessions. I am glad the hon. and learned Member for Oxford (Sir William Harcourt) is not going to raise that, because it is a technicality unworthy of him. These places were recognized at the time as within the Dominions of Her Majesty, but not within Her Majesty's Indian Possessions; for, in the Estimates of the respective years in which they were employed, these Forces are referred to as "maintained beyond the limits of the Indian Empire." Therefore, I say, as a matter of fact, it has been held to be absolutely legal and Constitutional, in time of peace, for the Crown to employ these Native Indian Forces within Her Majesty's Dominions outside the Indian Empire, provided always that they are paid for by Parliament. [Sir WILLIAM HARCOURT: They were voted.] I will come to the question of financial control later on. But more than this—I will venture to say that this Constitutional and legal objection raised by the Motion of the noble Marquess, has never been really accepted by any Party in this House till to-day; for what happened in 1868? A Committee was appointed by this House on the Motion of Major Anson, to inquire, amongst other matters, how far it might be desirable to employ certain portions of Her Majesty's Native Indian Army in our Colonial and Military Dependencies. I find it stated in the Report that the inquiries of the Committee were chiefly limited to the expediency of such employment. It then discussed questions of health, cost, and efficiency, and referred to a scheme of Sir Richard Temple for a partial substitution of Indian for English troops in certain places, including Malta and Gibraltar; and, finally, it came to a conclusion against making any considerable change in the proposed direction, mainly on the ground of adverse military opinions and doubts as to the financial value of the measure. But, in the Report of that Committee, which appears to have been agreed to by the noble Marquess, who was himself a Member of it, there is not a word which points to any Constitutional or legal objection. Now, perhaps, it may be said that the facts I have endeavoured to lay before the House, if they prove anything, prove too much, and that if there is this complete power in the Crown of employing these Indian troops within Her Majesty's Dominions outside the limits of Her Indian Possessions, they may be brought into the United Kingdom. The question now before us is not the question of their employment within the United Kingdom at all. Whatever Constitutional doctrine may be laid down on that point by no means necessarily applies to the case before us. The noble Marquess appeared to object to any possible difference from the interpretation which he was pleased to put upon the word "Kingdom" in the Bill of Rights. He argued that any common-sense interpretation of that term must be held to extend to all the Dominions of the Queen with the exception of India. I believe that such an interpretation is unwarranted in law, and inaccurate in fact; and I think I have a higher authority to appeal to on the subject than even the great authorities quoted by the noble Marquess. The provisions of the Bill of Rights, as they originally stood, and as they were quoted in many successive Mutiny Acts, use these words, and these only—namely, "this Kingdom;" and when Great Britain and Ireland were united, Parliament itself supplied a definite interpretation of the term; because, from the year 1801, you will find that in substitution for the words "this Kingdom" in the Preamble of the Mutiny Act, these words occur — "the United Kingdom of Great Britain and Ireland;" and, therefore, I say, that the view put forward by the noble Marquess, with regard to all the Dominions of the Crown being comprehended in the words of the Bill of Rights, is entirely unwarranted in point of law. But, further, there has been since the authoritative interpretation to which I have alluded, an actual occurrence which, I think, shows how the country and Parliament viewed the matter. At the time of the Crimean War, a German Legion was raised. In the Act authorizing that Legion to be raised, it was distinctly laid down that it should not serve within the United Kingdom. It did not serve within the United Kingdom; but it did serve in Malta, and it did serve at the Cape. In this instance, therefore, a clear distinction was purposely drawn between service in the United Kingdom and in other parts of Her Majesty's Dominions. But, besides being unwarranted in law, the view adopted by the noble Marquess is also inaccurate in fact; he asks this House to declare that—

> "By the Constitution of this Realm, no Forces may be raised or kept by the Crown in time of peace, without the consent of Parliament, within any part of the Dominions of the Crown, excepting only such Forces as may be actually serving within Her Majesty's Indian Possessions."

Now, if we are to read these words literally, they must be subject to an interpretation which in his speech the noble Marquess repudiated. I cannot help thinking, that when he gave Notice of this Resolution, he had forgotten the existence of Forces which throughout our Colonies are raised for the service of the Crown—the existence of those Colonial Forces which may at some day play so important a part in the defence of our United Empire. He says that he does not mean to include the Colonial Militia; but there are Colonies in which not only a Militia, but a Force is raised in form the same as our standing Army, under the powers of the Colonial Parliaments and the Prerogative of the Crown. No doubt such Forces are at present small in numbers; but they are likely greatly to extend, with the increasing desire of the Colonies to take measures for their defence against any possible attack by an enemy of the Empire. In New South Wales and Victoria Forces are permanently maintained — mainly artillery — under the Colonial Acts, without the consent of the Imperial Parliament, for the defence of the Colonial harbours and towns liable not only for service in the Colony, but to embark and serve according to regulations to be made by the Governor; and, according to the words of the Resolution, it would be contrary to the Constitution of this Realm that these Forces should be raised and maintained. Now, I listened with great attention to the speech of the noble Marquess to ascertain precisely where it was that this great Constitutional crime which he imagines us to have committed was to be found. I fail to detect exactly what that crime is; but it appears to me, from his speech, that the whole question at issue is one of the financial control of this House. I do not gather that he disputes that the movement of those troops was within the Prerogative of the Crown. I do not think he disputed that we were justified in advising that movement. I do not think he disputed—I believe he agreed—that we should be performing our duty if we proposed a Vote to the House to defray the expense of that movement. The whole point of his speech, it seems to me, turns upon this—that the Vote was not moved before these Forces were actually ordered to be sent to Malta. It is usual, I admit, and in every way proper and convenient, that, before expenditure is incurred, this House should be asked to sanction that expenditure. There have, however, been numerous cases in which that salutary doctrine has been departed from, on account of the special circumstances of the time, and we maintain that the special circumstances of the present case were such as to warrant our taking this action on our own responsibility before proposing a Vote to the House of Commons. We may, in this matter, have been somewhat to blame for having done that which, I am bound to say, we have very rarely felt disposed to do—for having accepted the advice of the right hon. Gentleman the Member for Greenwich. I find that the right hon. Gentleman, not very long ago, used the following words with reference to our action in proposing a Vote of Credit to this House:—

> "If a sudden emergency did arise, the Government must know their duty too well to wait for a Vote of this House. No Government worthy of its place but would, on a sudden emergency, give the orders which the circumstances of the time might demand, and then come down at the earliest moment in their power to ask the concurrence of the House in what they had done. Undoubtedly, that is the principle on which all Governments have acted in this country: a principle which has never been challenged."

Now, that is precisely the course which we have adopted. The real difference between us and those who sit upon the other side of the House is this—that they disbelieve in the reality of the present crisis. I admit that we are not at this moment—and I hope we may not be—in a state of war. [Mr. GLADSTONE: Hear, hear!] I have not asked the House to consider the precedents under which, in a state of war, expenditure has been incurred by Governments before the sanction of this House was obtained. I may, however, be allowed to refer to one instance—that of the Abyssinian Expedition—in which an Expeditionary Force was sent out without a state of war existing, composed of Native Indian troops. That Force arrived in Abyssinia on the 26th of September, 1867, but the Vote of Credit was not moved until the 26th of November in the same year; yet I am not aware that Parliament at the time considered that any Constitutional or legal rule had been broken, or even infringed, by that course of proceeding. But, again, I say we differ from the noble Marquess and many of his Followers in our appreciation of the circumstances of the present crisis. It is not a time of war; but is it a time of peace, in the real meaning of that term? This House has sanctioned the Declaration on the part of Her Majesty that the present is a time of emergency; and it was because we believed that it was a time of emergency that we thought it necessary to show quickly and decisively to the world that we were able, if need be, to wield the Forces of an united Empire. The time that elapsed from the date when the decision was arrived at, to the date at which local circumstances in India rendered it necessary that the Expedition should sail, was but very short for the purpose of settling all the practical difficulties that had to be arranged; and that might, perhaps, have prevented the departure of the Expedition within the time allotted. What would have been said of us if we had come down to this House and announced to the world that this policy was to be adopted, and it had been afterwards found that the practical difficulties to which I have just referred had prevented its execution? We believed, that, in order to insure the successful carrying out of that policy, it was necessary that until the actual movement of the troops occurred, the sanction given by the Government should be kept secret; and, so far as we were concerned, we were anxious that that secrecy should be maintained longer than turned out to be actually possible. We took this course, because we knew that, in spite of the attacks of those who have long been endeavouring to mislead foreign nations as to the real feeling of this country, and who now would seek to minimize her power and depreciate the valour and the loyalty of their fellow-subjects in India — our policy would receive the approbation of a patriotic Parliament. We knew this, because that policy was but the natural if not the necessary complement of what Parliament had already approved as the only one which was really likely to secure an honourable and a permanent peace. If the noble Marquess the Leader of the Opposition differs from the course which we have felt it our duty to pursue, I would venture to suggest that he might more properly meet it with an alternative policy than with a Constitutional Motion, which, after all, is but a shelter for all kinds of objectors to the policy of the Government. If he approves the course we have taken, surely we have a right to ask for his support. We have, at any rate, a right to ask the House if they mistrust us, to relieve us from those onerous and difficult duties which, for more than two years past, we have been endeavouring to perform. But if, in their opinion, we are to be maintained in the position which we have the honour to hold, then let them, by their votes, support us against the petty cavils, the ceaseless misrepresentations, and the vulgar personalities of those who appear to believe everything that is good of foreign Ministers, and nothing but what is bad of their own countrymen.

Mr. FAWCETT: Mr. Speaker, I rise to Order. I ask you, as a matter of Order, whether it is usual for a Member of this House, without specifying names, to charge a section of this House with vulgar personalities?

Sir MICHAEL HICKS-BEACH rose to continue his speech, but——

Mr. FAWCETT again appealed to the Speaker to say whether the right hon. Baronet was in Order in using the words which he had just mentioned?

Mr. SPEAKER: I understood the right hon. Baronet was about to make an explanation of the words he used. The House will hear his explanation.

Sir MICHAEL HICKS-BEACH: I am bound to say that when I used those words I had in my mind not the statement of any hon. Member made in this House or out of it, but personal attacks on the Government, and mainly on the Prime Minister, such as those which were made by members of a certain deputation who waited on a Member of the late Government—I forget who it was—and whose expressions I think fully deserved the application to them of the words which I employed. I appeal to this House to support the Government against attacks of this nature made out-of-doors, not so much because we who now sit here happen to be the existing Government of the day, as because I believe it to be the true English principle that in a time of national difficulty the Ministers of the Crown, as such, irrespective of differences in domestic politics, are entitled to the support of all patriotic citizens. Sir, I trust that this House, by rejecting the Motion of the noble Marquess, and adopting in lieu of it the Amendment which I have placed upon the Paper, will not only declare that, in its opinion, the hands of Her Majesty's Government ought not to be weakened in the present state of foreign affairs, but will also say, with no uncertain voice, that the policy we have ventured to adopt, while consistent with the Law and Constitution of England, is calculated to prove to the world that when danger threatens us the ties of our Empire will be drawn but closer and closer still; and that in defence of the cause, as we believe it to be, of right and freedom and of civilization, we can, if necessary, marshal, not only the inhabitants of the small Islands within these narrow seas, but the peoples of distant shores and varied climes, united by those ocean waves which are at once the symbol and the bond of the world-wide Dominions of our Queen.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, being of opinion that the constitutional control of Parliament over the raising and employment of the Military Forces of the Crown is fully secured by the provisions of the Law, and by the undoubted power of this House to grant or refuse Supplies, considers it to be unnecessary and inexpedient to affirm any Resolution tending to weaken the hands of Her Majesty's Government in the present state of Foreign affairs,"—(*Sir Michael Hicks-Beach,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR CHARLES W. DILKE said, that the right hon. Baronet who had just sat down (Sir Michael Hicks-Beach) had spoken of the strength of England; but there was something which was even more peculiar to her than her strength, and something, therefore, of which Britons were more proud —and that was that freedom which had been expressed in the maxims in which the ancient Constitutional liberties of the Realm were stated. It was to be regretted that the right hon. Baronet should have replied to the noble Marquess in a tone and manner so different from his, and that he should have ventured to have complained of the importation of personality into the question; when it had been imported into the debate, indeed, but only by himself. The right hon. Baronet had begun his speech by a *tu quoque* argument, and had attacked the occupants of the front Opposition bench for having strained the Prerogative some years ago in the issue of the Purchase Warrant. He (Sir Charles W. Dilke) had protested against their action at the time, and had spoken against it frequently; and when the present Government denounced, and, as he thought, rightly, Lord Granville's conduct, in not proposing to take a division in the Lords, it should be borne in mind that in the Purchase Warrant case the present Prime Minister had not ventured to divide the Commons. But when the right hon. Baronet was defending the conduct of the present Government in the present case, he should have seen that that conduct had to be defended, not to their Predecessors, but to the House of Commons as a whole. The acts of the late Ministry had nothing to do with the question now before the House; and if it were important that England should make a show of her strength, it was still more important, and far more likely to impress foreign nations, that she should stand forth as the champion of Constitutional freedom. What was the case presented by the right hon. Baronet against the terms of the Resolution of the noble Marquess? Almost in the same breath he said—"I do not admit the accuracy of the Constitutional doctrine contained in the Motion of the noble Marquess," and "the Resolution is a Constitutional truism!" Which did he mean? If it were constitutionally inaccurate, it hardly could be a Constitutional truism; and if it were a Constitutional truism, it could hardly be constitutionally inaccurate. The right hon. Baronet then went on to allude to the so-called precedent of 1775. Now, the events of 1775 had no bearing whatever on the present case, although the debates of 1775 had a most important connection with it, as he would show. What was done in 1775 had no importance, because it was done in time of war, as both Parties in that day allowed; but what was said in 1775 was of the highest moment. The right hon. Baronet, with commendable ingenuity, had taken note of what was done, and had made no reference to what was said. The right hon. Baronet had completely misrepresented the scope of the Motion of the noble Marquess, when he had declared that it might "prevent a Government from using the Indian Army in the time of our greatest need." Not at all. No one wished to prevent a Government from using the Indian Army in a time of need. That our Indian troops might be employed in time of war was perfectly admitted by hon. Members on the Opposition side of the House, and even their employment in time of peace was not objected to, provided only that the previous consent of Parliament was asked. The right hon. Baronet had then gone on to contend that there was nothing in the Bill of Rights to prevent the use of Indian troops in any portion of the Dominions of the Crown, except only in the United Kingdom, and upon this point he must be reminded, not of what had been done in 1775, but of what had in that year been said. The speeches, from which he would quote, were the speeches of two legal Peers of the highest name and fame, one of whom was, indeed, Lord Chancellor at the time. He (Sir Charles W. Dilke) had some respect for the legal *dicta* of the right hon. Baronet the Secretary of State for the Colonies; but he had even higher respect for the direct opinion of the Lord Chancellor of the day, directly given by way of admission against his own case when arguing in support of the Prerogative; given amid general assent, and in terms the accuracy of the report of which could not be impeached, inasmuch as the words were over and over again quoted and referred to in the course of the debates. Lord Chancellor Bathurst [*Parl. History*, vol. xviii. p. 815] distinctly admitted that the words "within the Kingdom" applied to Gibraltar and

Malta, and that there was in 1775 "a rebellious war" also "within the Kingdom"—that is to say, in the Colonies in America. The right hon. Baronet next came to the so-called precedent of 1870, and displayed his utter inability to grasp the question that was at issue, by failing to see that the case of 1870 told altogether against his view. Why, in 1870, the number of men—20,000—was voted by the House, and, after being voted, was distinctly referred to in an Appropriation Act. He would make a fair offer to the Government—let them now place the number of men distinctly in the Estimates; let them refer to it again in the Appropriation Act, and not another word should be said upon the question of legality, although there would remain much to be said upon the Constitutional aspect of their policy, and upon the discourtesy with which they had treated Parliament. The right hon. Baronet had next taken up a different line of defence, and one inconsistent with that which he had adopted in the previous portion of his speech. He seemed to have tried a number of arguments which answered one another, in the hope that, if all but one should be upset, some single one might yet remain which would hold good. After arguing that the Bill of Rights did not prevent the Crown from raising an Army in time of peace anywhere in the Realm outside of the United Kingdom, he proceeded, a little later, to contend that even the Indian Army itself was raised with the consent of Parliament. That contention was utterly untrue. Parliament neither voted the number of men nor paid them. But, said the right hon. Baronet, their service outside of India was always contemplated. No doubt it was in time of war, but the present was a time of peace. The right hon. Baronet further contended that the words "other sudden and urgent necessity" covered the point. In the first place, he would reply, without going into the question of whether any "sudden and urgent necessity" existed in Europe at the present time, that the word "other," taken in connection with the word "invasion," which preceded it, and which, undoubtedly, applied to India alone, showed that the meaning of the words "other sudden and urgent necessity," was a sudden and urgent necessity applying directly to India. What was the clause? A clause, declaring that the troops when employed outside of India should not be paid by India except in certain cases. Those cases, of course, must be cases which referred to India. [Mr. GLADSTONE: Hear, hear!] He was glad to see that the right hon. Gentleman, who, in 1858, had first brought before Parliament the necessity for such a clause, expressed his full assent to that view. Moreover, if it should be again contended that the words "sudden and urgent necessity" applied to the needs of the Empire in general, he would further reply that Parliament was sitting when Government decided to use these troops, and that to Parliament the question should have been referred. The right hon. Baronet then came to certain cases of the use outside of India of Indian troops. He first named the case of a Madras regiment which served at Singapore from 1867 to 1871. Those troops, he would point out, were left in Singapore, which had been part of India. It would be found that they were mentioned in the Estimates voted by that House. The right hon. Baronet then alluded to the case of some troops who served at Hong Kong at the same time. They also were mentioned in the Estimates. The Amendment of the right hon. Baronet said that the control of Parliament over these troops was secured by the provisions of the law, and by the power of the House to refuse Supplies. What law? No law but the Bill of Rights, which the Government had broken. What power to refuse Supplies? On the 3rd of March, 1864, that eminent Conservative Minister, General Peel, had, by anticipation, directly answered the eminent, but less eminent, Conservative Minister who had just spoken—

> "If any part of the Indian Native Army could be employed without a Vote"—

and by these words they would see directly that General Peel had meant a previous Vote—

> "of this House, those troops are altogether removed from Parliamentary control. In the case of ordinary troops there are two checks—the Mutiny Act, and the money voted by Parliament for the pay of the troops. Neither of these checks apply to Indian troops. Native Indian troops are not liable to the Mutiny Act, being expressly excluded from the operation of that measure; and the House has no control over Native troops through its privilege as to money Votes, because those troops are paid in the first instance by the Indian Government,

and the expenditure never comes under the notice of the British Parliament until long after it has been incurred."

The right hon. Baronet had next referred to the Report of a Committee which had inquired, in 1867, into the employment of Indian troops outside of India. His noble Friend the Leader of the Opposition and his right hon. Friend the Member for Pontefract (Mr. Childers) had both of them been Members of that Committee, and had been present at the discussion of its Report. They would correct him if he were wrong; but he had read the Report of that Committee, and the evidence submitted to it, and it was obvious that the Committee had all along assumed that Parliament should be consulted in any arrangement which might be made. [Mr. CHILDERS: Hear, hear!] It had never occurred to that Committee that any sane Minister would ever suggest a contrary course. The right hon. Baronet had then referred to the so-called precedent of the German Legion. Now, most of the "precedents" of the right hon. Baronet failed only in a single point. It was true that that point was invariably essential; but, in the dearth of precedents, he could not afford to be too particular. This German Legion precedent failed in every point, and the right hon. Baronet ought to be fairly ashamed of himself for having mentioned it. It was raised in time of war, the number of men were specified and voted, not one single step was taken without previous communication to Parliament, and the whole of the conditions of the service of the Legion were laid down in an Act of Parliament which was passed before it had been raised. At last, however, the right hon. Baronet thought that he had found a precedent which really did apply. There was "a small Artillery Force in Victoria and in New South Wales." He was not in a position to impugn the accuracy of that statement. How many of them were there? Did the right hon. Baronet think that there were 100? Would he swear that there were 50? He was Colonial Secretary, and he ought to know. Was it not the case that this Colonial Artillery Force was a local Force, serving under a Colonial Act, which would prevent their being employed outside the Colony, not only in time of peace but even in time of war itself, without the consent of the Colonial Parliament? After concluding his argument with regard to the Colonial Force, the right hon. Baronet turned to the case of Abyssinia. Abyssinia was not "within the Realm," and the times were times of war. The Abyssinian case was certainly not a case of increasing the standing Army within the Realm in time of peace. It should be observed, that at the very same moment Indian troops were being employed at Hong Kong, and that these, so employed in British Territory, were being voted by the House. Moreover—[*Hansard*, vol. cxc. p. 359]—the present Leader of the House came down to the House and apologized, over and over again, for the illegality which he had committed in the Abyssinian case, and threw himself upon the hands of the House, supplicating Parliament in the most humble terms. The point upon which the Opposition were now insisting was this legal and Constitutional point—that, never in time of peace, and not even in time of war if Parliament were sitting, and *à fortiori* never in time of peace when Parliament was sitting, ought the standing Army, authorized with special regard to the state of our foreign relations and to the needs of our Colonies and fortresses, to be increased without the previous consent of Parliament. The right hon. Baronet, who had first denied "the accuracy of the Constitutional doctrine contained in the Motion of the noble Marquess," and had then proceeded to call it "a Constitutional truism," had left the House in the dark as to how far he really contested the Constitutional principle for which the Opposition were contending. The works of those great authorities, Hallam and De Lolme, clearly showed that the Resolution of the noble Marquess exactly expressed the Constitutional doctrine applicable to the present case. These were the words of De Lolme—

"The King cannot raise Land Forces without consent of Parliament. In these times, however, when it is become a custom with Princes, ... Parliament has thought proper to establish a standing body of troops. . . . But this Army is only established for one year; and at the end of that term it is (unless re-established) *ipso facto* disbanded; and as the question which then lies before Parliament is not whether the Army shall be dissolved, but whether it shall be established anew as if it had never existed, any one of the three branches of the Legislature may, by its dissent, hinder its continuance."

The right hon. Baronet, in his Amendment, spoke first of law, and next of the Votes of Supply. As had been pointed out, it was impossible to discern from his speech what law he could mean, except it were the Bill of Rights, the provisions of which had been infringed. But the contention of his speech appeared to be that the real control of Parliament lay in its power to refuse Supply. Now, it must be remembered, that this power, if unaccompanied by other forms of control, could be evaded—for instance, by private subscription, such as that proposed by Pitt in 1794, by supply granted by a Colony, by subsidy from an Ally, or by requisitions upon an occupied country. Let them suppose, for instance, that the Indian troops were to be detained in Egypt, and paid by the Khedive in return for a guarantee of the Sovereignty of Egypt to himself and heirs—such an employment of Indian troops, according to the right hon. Baronet, would be Constitutional, although no Estimate would be laid, no Supply would be asked, and no control of Parliament would exist. It was clear that, even in a fuller sense than had been argued by General Peel, the voting of Supply was an illusory manner of exercising the control of the House of Commons over the numbers of the Indian troops. In 1816, when a Treaty was signed between the Crown of England and the Crown of France, by which an English garrison in Paris and in Northern France was to be maintained at the expense of France, the English House of Commons insisted that the number of men to be so employed in France and paid by France should be voted by that House. The dangers which lay in the contrary course, dangers not probable but possible, conceivable, against which it was the duty of the House to guard, could only be effectively prevented by compelling Government, in all cases, to ask the previous consent of Parliament to any augmentation of the Forces of the Crown. If such a step were taken suddenly, on a great emergency—a really great one—Government must come for a Bill of Indemnity, which, if their action had been defensible, would be freely granted by the House. If the King were to be allowed to increase the standing Army within the Realm in time of peace, without previous reference to Parliament, he was thus permitted to impose charges upon his people without the assent of Parliament. For Parliament could not refuse to pay the soldiers who, in obedience to military commands, had been brought within the Realm. The Government had no kind of right to preassume the approval of that House, to take a novel step which could not be undone without punishing innocent persons and destroying the credit of the Realm. There was behind the present case this fact—that if the House refused to supply money for the payment of these troops, the expense would illegally be charged upon the Revenues of India —a starving country, which had been suffering from famine within the year, and the finances of which were in a condition of decay. If there were put before the House the alternative of either condemning the illegal action which the Ministers had committed, or of illegally burdening the Revenues of India with this charge, there could be no doubt what course generous Englishmen would adopt. He thought it a grave stretching of the principles of the Constitution to bring the Indian troops to Europe on the assumption that the consent of Parliament would be given; but, if angry debates should arise on the occasion, Members opposite would have to thank their Leader, because of the light manner in which the Chancellor of the Exchequer had treated the matter at the first meeting of the House after the Recess. It was the right hon. Gentleman who had caused the proposal of the Motion of the noble Marquess. The Opposition had been placed by him under the necessity of either allowing dirt to be thrown on their principles, or else of exposing a Resolution, expressing the high Constitutional view, to the chance of rejection upon the votes of a docile band. The Amendment of the right hon. Baronet was what the lawyers termed a plea in confession and avoidance. As between the Amendment and the Resolution of the noble Marquess, which way would the great authorities on the English Constitution pronounce themselves were they present in the House? Which way would Hallam vote, if he were there? It might be answered that Hallam was a Whig; but, to be frank, most men had of late times come to think that the Whig view of the Constitution, however much it had been ridiculed in the early novels of the present Premier, was nevertheless in these days accepted by both sides. *Hallam's History*, for instance, Whig book though it was, was the text book of both the older Universities; and the modern Tory voters, who last week had given so triumphant a majority at Oxford to their side, had certainly, many of them, been trained on *Hallam* in doctrines very different to those which were being taught them by their Leaders now. There was a passage in *Hallam*, of which he would remind them in case they had forgotten it, in which he declared that that was unconstitutional which was "a novelty of much importance, tending to evade the existing law." Those words appeared exactly to describe the present proceeding of the Government. There ought immediately to be issued, for the use of the next generation of Conservative Undergraduates, an expurgated edition of *Hallam*, in which this and many other leading passages would be left out, even if Oxford and Cambridge were not compelled to accept as a brand-new text book, the Constitution according to Lord Beaconsfield. To turn for a few moments to the historical view of this question, let him call the attention of the House to some words which fell from Lord Winchilsea in 1734, and which were exactly applicable to the present situation—

> "If Parliament should come into the practice of raising phantoms in the air, as an excuse for their granting extraordinary powers to Ministers of State, the liberties of this nation will then begin to stand upon a very precarious footing."—[*Parl. History*, vol. ix. p. 556.]

Those debates of 1734 did not, as a whole, help them much, for that was done which had not been done on the present occasion—namely, the previous consent of Parliament was asked to the augmentation of the Forces; but there was much in the language which was made use of in the debates that was of the highest moment. They should not lightly forget, for instance, these words of Shippen—

> "We all know how difficult it is to refuse to the King upon the Throne those favours or powers which have been granted to his Predecessor; and, therefore, it has always been the established maxim of every honest man, who had a seat in either House of Parliament, not to grant to a good King those powers which a bad King might make ill-use of."—[*Ibid.* 583.]

As for the precedent of 1775, he had pointed out already that it did not apply; but the debate of 1775 was worthy of the most careful consideration by the House. The doctrine which he collected, by reading the India Act of 1858 in connection with the debates of 1775, was the following:—The territory of the Crown was, for military purposes, of two kinds; there was what might be called the Parliamentary Kingdom, garrisoned by troops subject to the English Mutiny Act, and there was India. Parliament left it to the Crown to keep up in India such Military Forces as the Advisers of the Crown thought fit. As regarded the Parliamentary Empire, the countries garrisoned by troops subject to the English Mutiny Act—or, in other words, the whole of the Dominions of the Crown, except India—Parliament did not leave it to the Advisers of the Crown to settle what Forces should be kept up; but Parliament itself, after hearing the statement of the Secretary of State for War, annually considered what Force was necessary, taking into account all the circumstances of the case and the state of international relations. Having considered all those facts, Parliament annually voted the number of men, and then passed an Act, the Preamble of which recited that number, and exhaustively specified and explained the whole of the reasons for which the men were needed. It must be obvious that if the Crown could bring the non-Parliamentary Army, the numbers of which were not voted, and which might be indefinitely great, into the Parliamentary territory without the previous consent of Parliament, all their present trouble—annual trouble—over the number of men and the Preamble of the Mutiny Bill was mere idle waste of time. Parliament, in sanctioning the numbers of the Parliamentary Army, had regard to the need for placing garrisons at Halifax, Bermuda, the Channel Islands, the Cape, Gibraltar, Malta, Aden, Ceylon, the Straits, Hong Kong, Vancouver Island, and so forth; but, if what Ministers had done was legal, the whole of these garrisons might be brought into Great Britain or into Ireland without the previous consent of Parliament and replaced by Indian troops. The right hon. Baronet the Secretary of State for the Colonies had said that Parliament had approved of what was done in 1775. Now, it was quite true that the Bill of Indemnity, which was assented to by Lord North, and which passed through the Lower House, was thrown out in the Lords; but, in 1775, the Electoral troops of George III., who had been sent without the previous assent of Parliament to garrison Gibraltar and Minorca, had been sent there in time of war, for it was admitted on both sides that the American Rebellion constituted a state of war. Parliament, too, was not sitting in 1775 at the time the troops were sent, and as soon as it met, it was informed of what had been done by means of a Royal Message. Parliament had been treated with vastly greater courtesy in 1775 than had been extended to it now. On the consideration of the Message of the King, a Resolution had been moved by the Duke of Manchester, which declared—

> "That the bringing into any part of the Dominions of the Crown of Great Britain the Electoral Troops of His Majesty, ... without the previous consent of Parliament, is dangerous and unconstitutional."—[*Parl. History*, vol. 18, p. 801.]

In the Commons, the Whig Motion had been in the following words:—

> "That the introducing the Hanoverian Troops into any part of the Dominions belonging to the Crown of Great Britain, without the consent of Parliament first had and obtained, is contrary to law."—[*Ibid*, p. 818.]

How were these Resolutions met? Lord North moved that the measure was one—

> "Demanding more despatch than was consistent with waiting for the assembling of Parliament."

That defence could not be made on this occasion. Parliament was actually sitting when the movement was decided on by the Cabinet, and there was no question of the immediate employment of these troops. The Government of 1775 most certainly had not taken the line of the right hon. Baronet the present Secretary of State as to the scope of the Bill of Rights. It might be added, that, even with regard to a time of war, the Tory doctrine was not admitted by the leading Whigs in 1775. The Duke of Manchester, omitting the words "in time of war," declared—

> "From every instance I have submitted to you, and from constant practice, I must infer that the King has no right to maintain, in any part of the Dominions of the British Crown, any Troops, other than are consented to by Parliament, both as to number and to nation."

The Protest of the Lords, which was signed by the Dukes of Richmond, Portland, Grafton, Manchester, and Devonshire, by the Marquess of Rockingham, and by many other Peers of great Constitutional authority, declared—

> "That Hanoverian Troops should, at the pleasure of the Minister, be considered a part of the British Military Establishment . . . . tends wholly to invalidate the wise and salutary declaration of the grand fundamental law, which has bound together the rights of the subject and the succession of the Crown."

Lord North, in answer to these speeches and declarations, had at first maintained, but, ultimately, by consenting to a Bill of Indemnity, had half given up, a Prerogative which had gone to this extent, that in time of War the Crown might employ troops out of the United Kingdom without the previous consent of Parliament. But they were not now at war, and he ventured to maintain that the Resolution of the noble Marquess, containing, as it did, the words "in time of peace," would have received the assent even of Lord North. Mr. Clode, who was the chief authority upon *The Military Forces of the Crown*, declared that—

> "It can no longer be questioned that the assent of Parliament is needed to the continuance of any armed Force within the Realm in time of peace."

He explained that the Vote and the Preamble of the Mutiny Act, taken together, gave to the Crown the right to employ in the Army the number of men specified, and no more. And he then said—

> "If ever the Crown should intentionally retain in arms a larger number of Forces than has been agreed upon, the Minister upon whose advice this course had been adopted would be open to impeachment."

These were not times in which there was such danger of the invasion of the liberty of the subject that any man would seriously propose the impeachment of a Minister; but, nevertheless, they ought to guard against the setting of a mischievous precedent. He would make but one further allusion to the debates of 1775, and that would be a quotation. Serjeant Adair, a great Constitutional authority, had in that debate made use of words which, in another sense, were applicable to the existing situation, when he had said—

> "Of all Foreign Troops, the most dangerous are those who are the subjects of the King, and not of . . . Parliament."

And he might add that, as regarded the employment of the Native Indian troops, they were calling in men who, whatever might be their military virtue, could neither esteem nor understand the laws and liberties of the English people. Besides the debates of 1775, there were many others of a later date, in which similar doctrines had been accepted by both sides. For instance, those of 1794 and those of 1798, when Parliament recognized that even voluntary offers of aid from British subjects in time of war required Parliamentary sanction. In 1803 it had, indeed, been allowed that the number of ordinary volunteers need not be limited by Statute, because any volunteer not on actual service could resign without the assent of the Crown. In 1816 there occurred the debates to which he had already briefly alluded, and to which he would now recur; only mentioning in passing that in 1800, and again in 1806, Mr. Pitt came down to the House and asked the previous assent of Parliament to the augmentation of the Forces of the Crown, even though it was time of war. In 1816, it would be remembered that it had been arranged between the English and French Governments that the English garrisons of Paris and of Picardy were to be paid by France. The right hon. Baronet maintained that the necessity for voting Supply was sufficient to meet all cases; but, certainly, it did not meet the case of 1816; and Parliament, in 1816, insisted that the number of men intended for these English garrisons to be paid by France, even though they were not to be maintained within the Realm, should previously be voted by that House. There were many other cases which went to show that the financial control referred to in the Amendment was not enough. He would mention one which occurred in the recollection of many hon. Members still in that House. He referred to the Chelsea Pensioners Bill, which was opposed by Mr. Cobden and by the right hon. Gentleman who now sat for Birmingham (Mr. John Bright); and, although the number of pensioners was not at first stated in the Bill, yet it was afterwards specified in deference to the objections that were raised. All the later debates that had been referred to bore upon the state of things in time of war. There was one case which had not been named, which was not a case of war, and which might possibly be referred to as a precedent. He meant the occupation of Quettah—which was outside India—by Indian troops two years ago. Quettah was not "within the Realm." No one could possibly maintain that the Bill of Rights applied to Quettah; but it was certainly his view that the charging on the Revenues of India of the expenses of the Quettah operations was a breach of the 55th clause of the Indian Government Act. He hoped that if the Quettah case were to be quoted as a precedent, the question of its legality would yet be brought forward and carefully debated by the House. To return to the main question, the old Constitutional doctrine took no account of any differences between any one part and any other part of the Dominions of the Crown. In the days of Lord North, it was generally allowed that "the King's Prerogative is no greater in one part of his Dominions than another." In the panic of 1858, they had unfortunately changed all this, and accepted the direct government by the Crown of a despotically-ruled community, the laws of which were not the laws of England. This fact was first brought home to the people of England by the adoption, under the auspices of the present Minister, of a despotic title to apply to that portion of the Dominions of the Crown. Parliament was now asked to condone a fresh act of the same kind, but one taken without even the observance of Constitutional form, and which, if approved, would bring about a permanent confusion between the Parliamentary and the non-Parliamentary portions of the Realm. He had tried to keep closely to the Constitutional argument; but, in replying to that which had been urged upon the other side, there were two special circumstances of the present case to which it was necessary to allude. They were told that there was a need for secrecy. For what purpose? These troops were not to act. It was by the mere bringing of them that Russia was to be impressed. Surely, the impression would have been more profound had a communication been made to Parliament by means of Message, and the consent of Parliament obtained? The ground for secrecy given by the Chancellor of the Exchequer was no military necessity, but the saving of a few thousand pounds in transport. The House had already been told by the highest authorities upon the subject that the money had not been saved, and could not have been saved; and, even if there were this reason for the concealment for about a fortnight, while the arrangements for the transport were being made, there could be no such reason for continuing the concealment up to the Easter Recess, when it was certain that the news would become known. He could not but think, judging from the date at which one of the ships of Lord John Hay's Squadron had sailed with sealed orders, which had ultimately proved to be orders to convoy the Indian troops back to Malta, that the Chancellor of the Exchequer's memory must have failed him when he had given the House the dates a few days before that time. The second circumstance peculiar to the present case, which must also be briefly mentioned, was that it had become clear that the Crown was maintaining in India—a famine-stricken, an almost bankrupt, and a wholly unrepresented country—a Native Army larger than was needed for its defence. They were, in short, burdening India for Imperial purposes with a charge which, from a purely Indian point of view, must be a needless charge. In conclusion, he complained, in the first place, of the illegality which had been committed; in the second, that, even according to the views of the Tories of the last century, a grossly unconstitutional method of proceeding had been followed; and, in the third, that an act of great discourtesy had been done towards Parliament.

Mr. GOLDNEY said, he was prepared to argue that the question of the Bill of Rights, on which the whole issue now before the House turned, was much more limited than had been assumed by preceding speakers. The wording of the Preamble of the Bill of Rights showed that it was intended to be limited to this Kingdom alone; while, on the other hand, under the existing and preceding Mutiny Acts, the Indian Forces, having been directly recognized by Parliament as the Forces of the Kingdom, were placed under the Prerogative of the Crown. In the early Mutiny Acts the number was not mentioned. The present Act stated that it was necessary that a body of Forces should be employed for the safety of the Kingdom and the defence of the Possessions of Her Majesty, and that the whole should number 135,452 men "exclusive of those actually serving in Her Majesty's Indian Possessions;" and the Prerogative of the Crown obviously gave the Queen the power of moving these latter as she might think fit. In 1867, after the Indian Forces had become part of the Forces of the nation, Colonel Anson moved for the appointment of a Select Committee to inquire how far they should be employed elsewhere than in India, and no person ever questioned the right of the Crown to deal with these Forces, and when the subject was brought before the Committee, no question was raised as to whether such employment would be unconstitutional. It was proved, in the course of the evidence taken before that Committee, that the Governor General of India had actually made provision that the troops should serve outside of India by issuing a General Order refusing the services of anyone who would not undertake at the time of enlistment to serve anywhere as required. Beyond that, Sir Richard Temple had proposed to send Indian troops to China, Africa, Malta, and Gibraltar. The question had been raised whether, under the Bill of Rights, the Queen could exercise Her Prerogative, without the consent of Parliament, in moving these Indian troops. Now, he contended that the Forces set out in the Mutiny Bill comprised not only those there enumerated, but the troops employed in India; and it had been clearly contemplated by the authorities in India that any troops employed there might be called upon to serve in any portion of the Queen's Dominions; because, under the Indian Act, the Governor General had the power to frame Articles of War binding on the Native troops, in whatever part of the world they might from time to time be called upon to serve. He contended, therefore, that it was in the power of the Crown, seeing that it was contemplated that Indian troops might be employed to garrison our Mediterranean fortresses, to do all that they had done. The idea was not new, but the opposition was entirely novel, and was a condemnation of powers which had hitherto never been challenged. The

Resolution was framed on the assumption that the Mutiny Act, by containing the word "excepting," did not confer this power; but he, on the other hand, held that it did not comprise that word, and that the control of Parliament had been asserted and recognized in a practical way in the measures taken, and, believing it inexpedient to affirm any Resolution weakening the hands of Her Majesty's Government, he had no difficulty in cordially supporting the Amendment of the right hon. Baronet (Sir Michael Hicks-Beach). He was unable to see that the Government had in any way exceeded the legal and Constitutional limits within which they were permitted to act in this matter, and he hoped that that would be the view which the House would take of the question submitted to it.

After a pause,

MR. SPEAKER rose to put the Question, when

MR. DILLWYN rose and said, that although he had not intended to address the House, he could not allow the debate to fall through unexpectedly. The Resolution submitted to the House by the noble Marquess the Leader of the Opposition asserted a great Constitutional question, and ought not to be passed by lightly whilst hon. Members were having refreshment. He declined to accept the doctrine of the hon. Gentleman who had just sat down (Mr. Goldney), and supported the Resolution, on the ground that the course pursued by Her Majesty's Government had violated the Bill of Rights in a particular not second in importance to anything in that Bill. He was surprised at the manner in which the Government met the charge. Without attempting to deny the violation of the Bill of Rights, they simply contended that it was not such as to call for discussion or condemnation. It was true, no doubt, that no penalty was attached to this particular violation in the Bill of Rights, and so far it might be contended that it was not a breach of the law; but the Bill of Rights suggested, instead of penalties, an appeal to the House of Commons, and that appeal was now made. As the violation had been made by a Conservative Government, they had no alternative but to re-assert the principle in the strongest possible manner, without proceeding for pains and penalties against the Government. To his mind, their Empire in India, and their interests in the East, were second by far to the interests of the people of this country, and, therefore, he did lay great stress upon the assertion of this principle. The right hon. Mover of the Amendment did not condescend to argue whether the Government had violated the Bill of Rights; indeed, his Amendment fell little short of an admission that it had been violated, while it assumed that the present securities were sufficient to insure Parliament having ample Constitutional control over the Military Forces of the country. But there must be no assumption of the kind. It was their duty to watch with a jealous eye all encroachments on the rights of the people; and it was with that view only that they now took the course they did. He (Mr. Dillwyn) did not know what greater security Parliament had over the Military Forces by voting money than was secured by the Bill of Rights. If the Amendment were carried, it would be tantamount to an admission that, in certain cases, the Bill of Rights might be violated with impunity, and they did not know in what other particular it might not next be infringed by Her Majesty's Government. If it were allowed to be violated in one instance, it was impossible to say where the evil would stop; they would find themselves at the beginning of a downward course in the direction of sacrificing the rights of the people to the Prerogative of the Crown. There was no doubt that the country was now governed by a Sovereign who would not willingly do wrong; but that was no reason for not preventing any Constitutional right being trenched upon, or any new Prerogative being set up, because some future Sovereign might not be so scrupulous. There was no doubt that what was now claimed as a Prerogative of the Crown was an innovation, though it had been brought in by a Conservative Government. He hoped and believed that many hon. Gentlemen opposite would give a non-Party vote on a question which involved the rights and privileges of the people, and which was a distinct violation of the Constitution.

MR. MAC IVER said, that like the hon. Member for Swansea (Mr. Dillwyn), he desired to see a non-Party division on the question, although he thought there was nothing which hon. Gentlemen opposite less contemplated. If there were really a non-Party division, almost the whole House of Commons would go into the same Lobby in support of Her Majesty's Government; but he feared that many Liberal Members who outside the House, in their private capacity, said there was little difference of opinion between moderate men on both sides with reference to this subject, and that the Government had done their best, and the Liberals could not have done better, would vote against the Government on the present occasion. This was one of a long-continued series of attacks on the Government for no other than Party reasons; and it seemed to him that hon. Members opposite took up the Turkish question for the purpose of troubling the Government, and, if possible, to obtain their places—desirous to get back to power, no matter by what means. With gradually diminishing minorities, however, these attacks must, sooner or later, come to an end. He believed that in their hearts nine-tenths of the House of Commons and of the people completely approved of what the Government had done. The Government had carried out a wise measure in a most successful way. They had picked up all the useful vessels they could get at Bombay; they had taken all the available troops, and had sent them off at once; and the operation had been as successful as the best friends of the Government could wish. Hardly any hon. Member representing a large constituency having relations with Eastern trade, was opposed to the Government, and the opinions of the hon. Member for Dundee (Mr. E. Jenkins) had been repudiated in that town. He admitted that the Government might have obtained transports for the Indian troops at a cheaper rate from London, Calcutta, or Madras; but if they had not secured such as were on the spot, the effect of the Expedition would have been prejudiced. The moral effect of what the Government had done was, as had been ably put by the right hon. Gentleman, that it at once showed the world that it knew its own mind, that it was strong, and would use the resources of their united Empire to defend interests which were equally dear to India and Great Britain.

Mr. OSBORNE MORGAN said, the question, though important, was exceedingly simple, and it was purely legal and Constitutional. The right hon. Baronet the Colonial Secretary (Sir Michael Hicks-Beach) had achieved nothing less by his Amendment than the distinction of adding a new chapter to the Constitution. The proposition which the right hon. Baronet laid down came to this—that because the House could undoubtedly refuse to vote Supply, therefore it was competent to the Crown to raise 100,000 men in India, or, as far as he (Mr. Osborne Morgan) could see, anything else, without the consent of Parliament, and bring those troops to Malta, Gibraltar, the Isle of Man, or the Channel Islands, in sight of these shores, provided only they did not land them in Great Britain or Ireland. He must say a more startling proposition, coming as it did from a Leader of the Constitutional Party, he never heard. Those who followed the right hon. Baronet, however, did not go so far, though they contended that the Government might do anything, provided, after they had done it, they obtained the consent of Parliament. Now, that was not his notion of the Constitution; it was not his view, though the Constitution was intended to operate prospectively, and not retrospectively. No doubt, *salus populi suprema lex* was the first maxim of their law and their Constitution, and he did not deny that circumstances might arise which would justify high-handed, arbitrary, even illegal and unconstitutional, acts, for necessity had no law; but would anyone seriously and honestly assert that any such necessity as that had arisen in the present case? Would anyone assert that, in time of peace, when Parliament was sitting, the safety of the nation—for it was necessary to put it as high as that—required that these Indian troops should be sent to Malta, not only without communicating the fact to Parliament, not only without obtaining the consent of Parliament, but with an affectation of secrecy, and an almost ostentatious disregard of the wishes and opinions of Parliament in the matter. Were the Government afraid of Russia, or of Parliament, or of both? He never saw such a disproportion of means to an end as in this case. It was a most monstrous thing that for the sake of getting transports cheap, for the sake of saving a few hundred pounds, or a few days at most, the Government should value, as they seemed to have done, the British Constitution at the price of a bag of old clothes. Talk of driving a coach and four through an Act of Parliament? Why, the Colonial Secretary had driven a coach and six through the whole Constitution. Had the Crown the right to take 7,000 men from India? If so, it had the right to take 70,000 or 700,000, if it could get so many. If that plea were put aside, the question resolved itself into a purely Constitutional question. He knew the difficulty of arguing a grave Constitutional question before a popular Assembly. Such questions had always been, and always would be, debated and decided on Party lines; and, unfortunately, when a lawyer tried to address an audience as if they were a bench of Judges, he was told he was splitting straws and getting into *Nisi Prius.* But he would not be deterred by any such considerations from stating his belief that this course on the part of the Government to be equally opposed to the letter of their law and to the spirit of their Constitution. India was excluded from the Mutiny Act because she had a Government of her own, a Budget of her own, and a military system of her own. Under the Preamble of the Mutiny Act, there was a contract between the Crown on the one side and Parliament on the other. Mr. Clode, in his work on *Military Law*—a great authority—said—

> "This limitation created a Parliamentary compact that no larger number of soldiers than are here stated should be continued on foot by the Crown during the period of time to which the Act had reference."

It was very well to say that was a lawyers' crotchet, but it was a crotchet which had cost one King his head and another his Crown. He maintained that the words in the Bill of Rights "within the Kingdom" applied to other parts of Her Majesty's Dominions besides this country, and that was the opinion of Lord Camden and Lord Bathurst. From Magna Charta downwards their Constitution had abhorred military law, which only existed on sufferance in England, and, but for the Mutiny Act, the putting under that law of any subject of the Realm would be an illegal act. The exigencies of the State requiring a certain number of men to be kept in the Army, Parliament every year gave permission for the levy of that number of men, and no more. From the recitals of the Mutiny Act, it appeared that two distinct propositions were there maintained—firstly, the financial right of control possessed by Parliament, which applied to every branch of the Service, civil as well as military; and, secondly, that no man could be placed under martial law in time of peace without the consent of Parliament, which was only given from year to year. Hallam in his *Constitutional History*, said—

> "These are the two effectual securities against military power; first, that no pay can be issued to the troops without a previous authorization by the Commons in a Committee of Supply, and by both Houses in an Act of Appropriation; and, secondly, that no officer or soldier can be punished for disobedience, nor any court martial held without the annual re-enactment of the Mutiny Bill. By the Bill of Rights it is declared unlawful to keep any Forces in time of peace without consent of Parliament. This consent by an invariable and wholesome usage is given only from year to year, and its necessity may be considered, perhaps, the most powerful of those causes which have transferred so much even of the Executive power into the management of the two Houses of Parliament."

There were two proposals involved in the Bill of Rights and the Mutiny Act. The Motion of the noble Marquess (the Marquess of Hartington) took both in; but the Amendment, while it admitted one, gave the go-by to the other. Further, he denied the correctness of the construction which had been put by the Colonial Secretary on the 55th section of the Act of 1858 for the Government of India, contending that that section related merely to finance and not to Prerogative. He did not accuse Her Majesty's Government of *mala fides*, but no doubt in reading the Mutiny Act they had made a blunder, and there were blunders which were worse than crimes. Had the right hon. Baronet come forward and said—"We have misread the Mutiny Act; we have made a mistake"—had the right hon. Baronet in that way appealed to the generosity of Parliament, he (Mr. Osborne Morgan) was sure that the House of Commons, which was, perhaps, the most generous Body in the world, would have met him half-way and said—"Let bygones be bygones." But that was not the language of the Colonial Secretary, or of the Leader of House. The right hon. Baronet took high ground, and declared—"We have not violated a title of the Constitution; we have not broken a particle of the law." That being the tone adopted, it was absolutely necessary that those who were opposed to the action which the Government had taken should occupy equally high ground. He knew that the Government would beat their opponents in a division. He knew that the Government were blessed with a majority so docile and obedient — he would not say so mechanical—that it would endorse anything it was told to endorse. He had no doubt that the Amendment would be carried by a large majority, but to his mind that would only make the matter worse; because, if it were so easy to obtain the consent of Parliament to the policy of the Government, why, then, was the consent not obtained before that policy was entered upon? The result of several recent Elections did not give the Government much encouragement for believing that the country was so entirely on their side as some supposed; and he would warn them that, in appealing to popular passions in support of a high-minded policy, they were trading on dangerous ground—

> "Incedis per ignes
> Suppositos cineri doloso."

In conclusion, he asserted that though the arguments and authorities which had been adduced by the noble Marquess in support of the Resolution against the Government might be conveniently ignored—they could not be satisfactorily answered.

Mr. RITCHIE said, he agreed with the hon. and learned Gentleman opposite (Mr. Osborne Morgan), that there was a certain amount of inconvenience in discussing great Constitutional and legal questions in a popular Assembly where Party feeling was likely to be imported into the discussion; and therefore he regretted, with his right hon. Friend the Colonial Secretary, that noble Lords who raised that question in "another place," which was eminently fitted for its discussion did not take on themselves the responsibility of inviting a decision upon it there. He did not know the reason, but it appeared to him that the circumstance that no Resolution was before the other House argued a certain want of confidence in the position taken up by the Opposition; and it had even seemed doubtful at one time whether the noble Marquess (the Marquess of Hartington) intended to take a decision on the Resolution before the House. It was not in direct terms a Vote of Censure on the conduct of the Government; but, to be logical, the noble Marquess should have gone further, and asked the House to censure the Government for having departed from the lines of the Constitution. If the proposition of the noble Lord were correct, then the Government had violated the Constitution; if, on the other hand, the Government had not violated the Constitution, then the Resolution of the noble Marquess was not correct, and it asked the House to alter the Constitution by means of an abstract Resolution of one of the Houses of Parliament. Many precedents had been quoted, some in favour of the Government, and some against; and an objection had been raised that the employment of the Native Indian troops would infringe the Mutiny Act by taking the place of the British troops authorized by that Act, and so set them free for other service; but he would remind the House that at that very moment a war was going on at the Cape, in which their troops were helped by Native levies and by friendly volunteers, who, of course, liberated a certain number of European troops, and yet who would venture to say this was contrary to the law and the Constitution. The debate of 1775 had been mentioned, and he would only remark that on that occasion many good authorities had construed the word "Kingdom" in a sense totally opposite to that put upon it by the noble Marquess. The point had also been debated at the same time in the House of Commons, where the Resolution extending the meaning of the word "Kingdom" to the other Dominions of the Crown had been rejected by 283 votes to 81. The Bill of Rights was, by general admission, the test. It professed to declare the law, not to enact the law, and for the reasons for which a standing Army had been voted a grievance, it was necessary to look back further. Those reasons all applied to the Kingdom in the limited sense of the word, and were, in fact, chiefly local and domestic. Besides, the Bill of Rights spoke not only of the "Kingdom," but in another clause it spoke of the "Kingdom and the Dominions thereunto belonging;" so that one might fairly conclude that when in the same Bill it spoke only of the "Kingdom" it was not intended to include the other Dominions of the Crown. The truth was, that it was never in contemplation to extend the provisions of the Bill of Rights beyond the limits of the Kingdom, and the Mutiny Act, as it recited almost the words of the Bill of Rights, confirmed that view. If the Constitution required alteration, then let it be altered by a deliberate Act of all the Estates of the Realm, and not by a Resolution of the House of Commons. It had been said that our liberties were in danger; but did any sane man really believe that so long as Parliamentary control and Ministerial responsibility existed, our liberties were endangered by such a proceeding as that under discussion. Parliament must vote the Supplies; but objection had been taken that the Government had first spent the money and then come to Parliament, thus leaving it no option but to vote the money; but the right hon. Gentleman the Member for Greenwich had, when the Vote of Credit was under discussion, admitted that Ministers would be justified in a time of great emergency in spending money, and afterwards coming to Parliament to sanction the step. Well, the Government had declared that the emergency had arisen, so that really this matter was a question of Ministerial responsibility, and nothing more. But the noble Marquess who moved the Resolution said that the Government ought to come to Parliament, not only for money, but for the men they wanted, and referred to Native troops having been employed in China, saying that a Vote had then been asked for; but he forgot to say that from 1859 to 1863 Native troops were being employed in China, not only without an application by the Government to the House for a Vote of money, but even for a Vote of men. Yet the Chancellor of the Exchequer during that time was the right hon. Member for Greenwich (Mr. Gladstone). It was not until 1863 that the money expended for those troops was put into the Votes, and not until 1864 were the men put into the Votes. The whole affair was made a matter of account between England and India, and the right hon. Gentleman was responsible for not putting either the money or the men into the Votes until 1863 and 1864. But why, it was asked, did not the Government state openly to the House that troops were to be brought from India to Malta, when the decision was taken, seeing, as had been observed by the hon. and learned Gentleman who spoke last, that they had behind them a docile majority, who would at once approve any measure they might think fit to adopt. The hon. and learned Gentleman, however, seemed to him (Mr. Ritchie) to have altogether failed to take into consideration the composition of the Opposition, which consisted of a great many separate factions, with a great many Leaders, and, as time was an element of importance in this matter, the Government might well hesitate to bring the matter prematurely before the House. If the hon. and learned Member took this into consideration, he (Mr. Ritchie) was sure he would sympathize with the Government in the course which they felt it to be their duty to pursue in a time of great emergency, and when the difficulties they might have to contend with in bringing the matter before Parliament would not have been found easy to overcome. It had been said that this movement of troops had taken the House by surprise. That was true, so far as the actual movement of the Indian troops was concerned; but the question was openly discussed for some time previously whether the Government would fall back upon Indian troops, and it was, therefore, a surprise that might any day have been expected by this House. ["Oh, oh!"] For his own part, he maintained that the Government had not only acted in a strictly legal and Constitutional manner in what it had done, but that it had also acted wisely. From an Indian point of view, it had acted wisely, because those who were well acquainted with India were of opinion that no step could have a greater effect in drawing the people of that country more closely to us than the asking them to come and fight side by side with our soldiers in a time of common danger. Such a step increased the bond of sympathy between the English and the Indian people, which had been lately strengthened by the gracious visit of the Prince of Wales, and the wise assumption of Imperial rank by the Queen. It had also acted wisely from an English and European point of view. What was the position of England at this moment? She had the approval of the whole of Europe in standing up for the integrity of Treaties. She admitted that they required modification, but contended that they should not be altered by one of the parties, but by the whole of the parties to them. At the present moment, no step which the Government had taken had, he thought, been more calculated to bring about the peace of Europe, or secure the object we had at heart, than the bringing over of Indian troops; because it showed a determination on their part to draw upon all the resources of the Empire to maintain its integrity and the independence of Europe.

Mr. LAING, having had some experience in India as Finance Minister to Lord Canning, wished to say a few words on the question of our Indian policy, as regarded the employment of Native troops outside India, believing, as he did, that the principles that had been laid down by the Government were fraught with great danger and most destructive consequences to the future of our Indian Empire. The great principle now laid down was that we ought to consider the Native Indian Army as an integral portion of the British Army—that it was to be used on all occasions as a portion of that Army to supplement the military power of this country in the case of European wars or foreign expeditions, in order that by drawing on the immense population of India, great Britain might become one of the great military Powers of Europe. That new policy involved the necessity of entirely re-organizing it, and bringing it up to a high standard, both in point of numbers and of military efficiency. The question arose, was such a policy consistent with the safety of our Indian Empire? It was contrary to the principles laid down by Lord Canning, and many others of our most eminent statesmen. The fundamental conditions laid down for the safety of that Empire were—first, that the Force should be brought down to the lowest standard at which it could perform garrison and police duty. The numbers were fixed at 120,000, and the Force was reduced to that number. The next principle laid down was that for every two Native, there should be one European soldier, or a force of 60,000 men. The third principle was that the Native Troops were not to have any artillery, except a few mountain guns. The fourth was that the Native Army was not to be brought together in large bodies, but kept to separate and distinct regimental duties. Now, was not each one of these principles inconsistent with the principle that the Native troops were to be looked upon as a portion of the British Army? If these troops were to be used for European wars, all that system would have to be altered. The Army in India was not and could never be a national Army. In the first place, India was not a nation, but merely a geographical expression, It contained many different races, only agreeing in their entire difference to the English and dominant race. The Army in India must always be a mercenary Army, and, therefore, could never be actuated by national impulses and feelings. There never could be any community of feeling between the Rulers in India and those who were ruled, and it was a serious matter to depart from the principles which had been laid down. As to the statements about the popularity of the Expedition in India, of course, every soldier worth his salt preferred active service to the monotony of garrison duty. But public opinion in India, military and civilian, had always been in favour of any foreign Expedition. The great inducement which the Indian soldiers had to engage in those Expeditions was the hope of preferment, increased pay, and loot. It had been precisely the same thing in the case of the Expedition to Cabul, which had been undertaken under the same influences as had now been operating, mainly because the influence of the English Foreign Office had been brought to bear upon India, to come forward against supposed Russian encroachments in Central Asia, and next because civilian and military pressure had been brought to bear upon a weak Governor General. That had led to an Expedition which had struck a great blow at the security of our Indian Empire. He hoped nothing of the sort might occur now. Supposing that these Indian troops were employed, the real difficulty of the case would only occur when the war was over and the men were sent back to their Native country. Some persons thought that as the expedition was so popular among the troops, their return, instead of being a danger, would cement the bond existing between this country and India. In his opinion there could not be a more complete delusion than this. While conceding that the

Expedition was popular, he could not admit, as some hon. Members opposite seemed to imagine, that the "Jingo" feeling extended to India, or that they were all Mussulman troops who would go into a war singing "Rule Britannia" because they fancied they were defending the Mussulman power of Turkey. The preposterous nature of such an idea would be apparent when it was considered that more than three-fourths of the population of India and the Indian Native troops, were not Mussulmans, but the descendants of people who had been for ages the subjects of Mussulman misrule during the Mogul domination. It was only the dread of the establishment of a Central Mahomedan Government at Delhi which kept the great bulk of the other races from joining in the Mutiny. To speak, then, of the feeling of the Mahomedans who rebelled against our rule a year or two after we had spent millions of treasure and oceans of blood in support of tottering Turkey, as sympathizing with the Sultan, was to talk utter nonsense. Indeed, there could be no greater danger to our rule in India than favouring one particular race, as the favoured one immediately jumped up to the conclusion that we were afraid of them; while, at the same time, it excited the jealousy of others. Our true policy, instead of being either the champions or the enemies of the Mahomedans, was to treat all creeds alike, holding the scale firmly and fairly between all the races, and showing no fear of any. If war really took place, and the Indian troops were employed, we must either be victorious or be beaten. In the latter case, the Native troops would go back sullen and discontented, to proclaim in every bazaar in India how much greater a Power Russia was than England. In the alternative—which all hoped might be the case—the Indian troops would go back to boast that they had crossed bayonets successfully with the best troops in Europe, driving them like chaff before the wind, and to reflect that, in the event of another Mutiny, they would have a good chance of success. They were not the men to put their light under a bushel, and would have to get something more than empty praise. Then, again, there would be a large number of Native officers, who, by courage in the field, would gain promotion; was it to be supposed that such men could be sent back and put under the command of an English boy-subaltern? But if they were not, the whole system of officering the Sepoy Army would be broken up, and Native officers of ability would then attain positions which would ensure the success of another Mutiny; the want of Native leaders and the heroism of our own countrymen being the cause of the failure of the last. These were serious dangers, not to be met by empty phrases, but which had been met by the statesmen who had re-organized the Indian Army after the Mutiny. In addition to those questions of principle, there were other difficulties of detail which had been mentioned to the House a few evenings since, by the hon. Member for Kirkcaldy (Sir George Campbell) arising from the existence of caste and other causes, which made an Indian Army engaged in European warfare far more costly than the same number of English troops, all of which would have to be seriously considered when employing Indian troops became a reality. What was to be done in regard to the additional batta and pay which Indian troops received as compared with British troops? A colonel in the British Army received about £500 a-year, while a colonel of an Indian regiment received £1,500; was it likely that, with the troops serving side by side in Europe, such an anomaly could be continued? With regard to the financial aspect of this question, he found that the condition of Indian finance was at that moment one of great tension and great distress. The Mutiny, following the wars which had been carried on many years in India, aggravated the condition of India into a severe financial crisis. She was saved by the great efforts of Lord Canning and other Governors General in reducing expenditure, based mainly on military reduction. Indian finances were thus brought into a fairly satisfactory condition, and so continued for a series of years. But India was overtaken in the last few years by famine and a great fall in silver. The consequence was, that after struggling against that depression with temporary loans, the Indian Government had been driven to the most disagreeable necessity of imposing new taxes, and those of an unpopular kind, and of which he did not know which was the worst—namely, the salt tax and the licence duty. The political bearing of increased taxation there was shown by a saying of Lord Canning that danger for danger, he would rather undertake to govern India with 40,000 Europeans without the income tax, than with 80,000 Europeans with it. Economy in India meant military reduction; civil expenditure was not only fixed there, but inevitably tended to grow with the growth of the population and with the increase of civilization, like the Civil Estimates in this country. Therefore, it was the first duty of every Government in India to keep its military establishment down to the lowest figure possible, and the key-note of the position in that respect must be the number of Native troops. If, in this particular case, 7,000 Native troops could be spared from India for an indefinite time—and probably they would be followed by another 7,000, and possibly more after that—surely it would appear that she had been maintaining 7,000 troops who were not wanted for the ordinary garrison duty in India, and who ought to have been disbanded; and by sending home three European regiments to keep up the same relative proportions between the Native Indian and the European troops in India, £600,000 or £700,000 might have been saved. That was about the same amount as we got by imposing the obnoxious salt duty. We might not only have avoided increasing the salt duty, but have reduced it and given millions in India a large and immediate relief. If these men could be spared from India it was clearly the duty of the Government to give the people of that country the benefit of such an economy. Had Lord Canning been Governor General he believed it was what he would have done. Was it fair that India should pay the excessive expense of military establishments, which were kept up for English policy, to enable England to take a more prominent part in European quarrels? We never thought of bringing Indian troops to Sebastopol. To employ Indian troops in exceptional expeditions—to send them to meet Chinese matchlocks or the warriors of King Theodore—was totally different from employing them in regular European warfare, where they would have to stand in the same line as British troops, against adversaries like Russians or French or Germans. What had been done marked a clear revolution of policy in the question which should not have been determined on without consulting Parliament. He wanted to know what the late Governor General, or a still higher authority, Lord Lawrence, and the other high authorities upon India had to say to this question. The objections that had been raised ought to be met by the Government, and if the policy now complained of were to be allowed to continue, Indian finance would become thoroughly disorganized, or England would have to take upon herself a very heavy burden, and rightly so, if she made Indian troops fight her battles.

Mr. CHAPLIN said, he was unhappily placed in a similar position to that occupied by the right hon. Baronet the Member for Tamworth (Sir Robert Peel) with regard to this question, because he could not pretend to the knowledge of Indian matters that was possessed by the hon. Gentleman who had just sat down. But when he heard the hon. Member ask why they kept 60,000 English troops in India, and also speaking in disparaging terms of the utter want of community of feeling between the Rulers and the ruled in that country, he could not help referring to the striking display of loyalty on the part of the Native troops and people of India which had been evoked by the recent policy of Her Majesty's Government. The immediate question, however, before the House was the Motion of the noble Lord opposite. Now, however much on home grounds they might regret that Motion, no one could dispute the right of the noble Lord and his Friends to challenge the decision arrived at for ordering the Indian troops to Malta without the knowledge or consent of Parliament. If there was any reason for thinking that the Constitution had been infringed in that matter, the House of Commons would not only have a right to demand, but would fail in its duty if it did not demand a full explanation from the Government. He was resolved, if the occasion should arise, to do all in his power to uphold the Constitution which they had inherited from their forefathers, and under which they enjoyed a degree of prosperity and of freedom which fell to the lot of few other nations. At the same time, he was not prepared to accept the doctrine contained in the noble Lord's Resolution, which, he thought, involved a direct infringement of the Prerogative of the Crown. Although, as regarded the English troops of the Crown, the Resolution only affirmed what was generally acknowledged, yet in regard to Indian troops it would preclude the use of those Forces beyond the limits of India, without the consent of Parliament, in every case short of actual war, whether Parliament was sitting at the time or not, and however great might be the necessity or emergency. On that ground alone, therefore, if on no other, he would resist the Motion to the utmost. Supposing that a declaration of war between this country and another Power was a question of weeks, or perhaps of days, and that that war would imperil the fortunes of England in some part of her Empire, the Government might know that by due preparation and the movement of Indian troops in good time, the danger might be altogether averted; but Parliament not being in Session, its consent could not be obtained without a great loss of time. Was he to be told that in such a case a Government which used, without scruple, as it was bound to do, all the resources at its command in defence of the Empire, would be guilty of unconstitutional conduct? That, however, would be the effect of the noble Lord's Motion, whether it was so intended or not. Now, was it the fact that the Constitution was really in danger from recent proceedings? If the ordering of those Native troops to proceed to Malta, in a great emergency, was a breach of law and Constitution, he asked what Act did it violate? It was a fact that before those Indian troops were ordered to Malta, the number of men authorized by the Mutiny Act was more than completed. Therefore, it might be argued that the Mutiny Act was being infringed, because troops were being used in excess of the number specified in that Act. That was a very plausible ground on which to base an attack on the Government. But, on the other hand, the troops serving in that case were Native Indian troops which never had been included in the number specified by the Mutiny Act, and which formed part of a separate establishment altogether, and were serving under separate law. It was perfectly clear that the employment of troops, who did not come under an Act, could not by any ingenuity be distorted or twisted into a breach of that Act, which related to troops of a totally different description. The noble Lord said, if that was so, the law was either insufficient, or it had been violated. He could not agree with that; but if the noble Lord thought the law was insufficient, let him propose its amendment. So long as the law remained as it was, and so long as Her Majesty's Ministers remained within it, they had no right to charge the Government with unconstitutional conduct. In 1858, when the Government of India Bill was under discussion, an additional clause was moved by the right hon. Member for Greenwich (Mr. Gladstone), providing—

> "That, except for repelling actual invasion, or under other sudden and urgent necessity, Her Majesty's Forces in the East Indies shall not be employed in any Military operation beyond the external frontier of Her Majesty's Indian Possessions without the consent of Parliament to the purposes thereof."

That clause was identical in its effect with the present Motion of the noble Lord; and if that clause had been carried, he admitted that then the Government would have been guilty of a grave breach of Constitutional law. That clause was opposed by Lord Palmerston and others on the ground that it embodied a doctrine inconsistent with the Prerogative of the Crown and with the Constitution. After certain Amendments had been made in it, the clause was carried on a division; but it was not allowed to become law, or it was superseded by another, which had been quoted already. It said that, except in emergency, the Revenues of India should not be applied to defray the expenses of any military operations beyond the frontier of India; and the movement of troops from India to Malta was, he contended, precisely one of the cases contemplated by that clause. It was a military movement "beyond the external frontiers of India," and the House would see that while the acknowledged Prerogative of the Crown in this case was in no way interfered with the counter-check to that Prerogative which Parliament in former days devised, was exercised fully, in that the Government could not defray the expenses of the movement out of the Revenues of India without coming to the Legislature—could not, indeed, obtain those expenses from any source whatever, unless Parliament chose to vote Supplies for the purpose. It was not accurate to distinguish the English Army as a Parliamentary Army; so far as their movement was concerned, both the English and the Indian Army were on the same footing. It was true there was this distinction between them, that the number of troops in England was annually voted by Parliament, and that in India there was no Parliamentary limit whatever upon the number; but when Parliament had voted the particular number for England, and when they came to the question of moving either those troops, or the troops in India, their control in the one case was precisely similar to what it was in the other. They could stop the Supplies, but they could do nothing more. Why, however, were they asked by the Motion of the noble Lord to impose a restriction for the first time in India upon the Prerogative of the Crown which did not exist, and which was altogether unknown in this country? The noble Lord opposite had said—"What is the justification of the policy of secrecy, which has been pursued by the Government?" That was a fair question, and in connection with it he would ask—"Is it the case that the Government have been at all wanting in the deference, the courtesy, and respect which are due to the House?" He had heard the explanations which had been given from the Treasury bench, and one of these explanations appeared to him to have been more than sufficient. Surely hon. Members could not deny that it would have been the height of unwisdon on the part of the Government to have announced their intention of calling out Indian troops, unless they had been perfectly certain of the success of their scheme. As it was, their success had been greater almost than they could have themselves hoped for, and all Parties in the country must now agree that they had been justified fully by the event. He could come to no other conclusion than that no charge of unconstitutional conduct could be maintained against the Government; and of the wisdom of their policy he never had a doubt, and, indeed, it was not called into question, nor challenged by the Motion. Hon. Members opposite might be assured that those on the Conservative benches were animated by a resolution no less ardent and determined than their own to guard and maintain that Constitution which they had inherited from their fathers, and to hand it down unimpaired to posterity. But with that Constitution they should remember that they had inherited something else besides—that those who sat within those walls were at this moment the trustees of the future fortunes of the Empire, the traditions of the people, and the greatness of the country, and those fortunes and traditions and the greatness they were determined, come what might, to maintain.

SIR WILLIAM HARCOURT said, that had the noble Lord the Leader of the Opposition required any confirmation of the argument which he addressed to the House, or any testimony to the justness of the Resolution which he had brought forward, it would have been found in the answer, if answer it could be called, which had been given on the part of the Government by the Colonial Secretary. The character of that answer was almost as singular as the Amendment by which it was accompanied. The right hon. Baronet had attacked the Resolution of the noble Lord with some severity, and the condemnation which he passed upon it was that it was a Constitutional truism. If it was a Constitutional truism, the least one might have expected was that a Constitutional Government would have accepted the proposition contained in it. On the contrary, however, no sooner had the Colonial Secretary declared it to be a Constitutional truism, than he added—"You must understand that the Government do not accept it." That was a very singular situation for a Secretary of State, to decline that which he stated was a Constitutional truism.

SIR MICHAEL HICKS-BEACH: I never said I accepted the Resolution of the noble Lord as a Constitutional truism.

SIR WILLIAM HARCOURT: The right hon. Baronet having so dealt with the proposition of the noble Lord, had gone on to refer to the general policy of the Government, and in a peroration of a most imaginative character had called upon the House to set aside the Constitution, and to declare their confidence in that policy which, if he remembered rightly, linked together, according to the right hon. Baronet, the various races of the Empire by the ocean wave. When the policy of the Government properly came under the consideration of the House, and was stated in a somewhat more prosaic and, perhaps, more intelligible form than in the peroration of the Colonial Secretary, he, and those with whom he acted, would be prepared to consider it; and he hoped it might then be found that the races of this Empire might be linked together by something more stable than the ocean wave. Having stated that the Resolution of the noble Lord was a Constitutional truism which the Government could not accept, the right hon. Baronet had gone on—he could not say to grapple with the argument of the Leader of the Opposition, but to nibble at it. The right hon. Baronet, criticizing the terms of the Resolution, had said—"You speak of the Forces of the Crown; but you exclude the Militia and other Forces in the Colonies." The noble Lord, however, in drawing up his Resolution, had adopted well-known and Constitutional terms, which had received Parliamentary acceptation, and were thoroughly understood. The Forces which were spoken of in the Mutiny Act did not include the Militia or the Reserves. The word "Forces" in that Act meant Forces of the character of a standing Army, and it had always been so understood. His noble Friend, therefore, had employed the word in the sense in which it was perfectly well known in Constitutional language. So in reference to another cavil, if he might so call it, on the part of the Secretary of State for the Colonies. The right hon. Baronet said—"What do you mean by the consent of Parliament? The consent of Parliament is given by statute in the Mutiny Act, and you cannot add to the Forces without altering the Act." But that was precisely the point which was dealt with, in 1874, by Lord Cardwell, who said the consent of Parliament need not be testified by statute, but might be testified in another way—by a vote of the House of Commons after the Mutiny Act had been passed. "But," said the right hon. Baronet again, "you only vote the money and do not vote the men." He had been astonished at that statement. In 1870, no doubt, there was a Vote of Credit for money; but then there was also a separate and distinct Vote for men. In 1870, when it was necessary to add 20,000 men to the Army, it was done by a Supplementary Vote and a Vote of Credit for £2,000,000. What he charged the Government with was, not with the intention of violating the Constitution with any sinister motive, but with having come down to the House without understanding the Constitution of the country upon the capital points he had named. The Secretary of State for the Colonies had made two errors of the most palpable kind. Then, that right hon. Gentleman had endeavoured to excuse himself and the Government by stating that these Indian troops were employed in the same way at Singapore and Hong Kong. Yes; but on what terms and conditions? These troops were voted on a specific Estimate. They were voted at the instance of General Peel, the Secretary for War of the Conservative Government, who took the Constitutional objection that they ought not to allow the Native troops of the Crown to be employed unless they voted them on a specific Estimate. Then the Secretary of State referred to the Committee moved for by Colonel Anson, who, said the right hon. Baronet, did not say a word about there being no right to employ those troops. No one contested the right to employ these troops, if the proper Parliamentary preliminaries were taken. Then, said the Secretary of State, the Bill of Rights was wholly confined to the United Kingdom. He asked the Chancellor of the Exchequer to explain what claim he put forth. Was he prepared to say that outside the United Kingdom the Crown claimed the right to maintain an Army of any amount it chose in all its Dominions without the consent of Parliament? If that was not the claim, he could not deny the position of his noble Friend. If that was the claim of the Crown, then he said there had been no Government since the days of the Stuarts —not in the bad days of Lord Bute and Lord North—who had dared in the presence of the House of Commons and the country to maintain such a proposition. If they were not prepared to maintain that, he asked what intermediate proposition was there between that and the proposition of his noble Friend? It was said to be sufficient that Parliament should have the command over the Supplies. But the Crown might maintain an Army without Supply. The Crown might use its own means, or utilize the other resources which it might obtain. There was such a thing as subsidizing countries to maintain armies. He would give an example. In the year 1816, after the war was over, the English Government maintained an Army of Occupation in Paris. He supposed, according to the doctrine of the Government, that the Crown might do what it liked with that Army without the consent of Parliament. It so happened that the Ministers of the day did not want Supplies for it; because, by the Treaty of Peace, an indemnity had been obtained, and a sum was to be paid by the French nation for maintaining the Army of Occupation. The consequence was, that the Minister said he would not apply to the House of Commons for the maintenance of the troops in Paris. But what was the language of the House of Commons? They said—"No; we will not stand that. We will not stand the Crown having an Army in Paris which is not under the control of Parliament. You must get a Vote of money for that Army, and you must pay into the Treasury the indemnity you receive from France; and so the control of Parliament shall be kept over the Army which is outside the United Kingdom, as well as over the Army within it." Then the right hon. Gentleman came to a precedent which was a little interesting, as it would appear as if for once, and once only, the Government had become disciples of his right hon. Friend the Member for Greenwich. The Secretary for the Colonies read a passage from a speech of the right hon. Member for Greenwich, to the effect that there were emergencies in which a Government ought to act even without the consent of Parliament, upon condition that they should come down and ask the concurrence of Parliament at the earliest possible moment. That was most excellent doctrine, a doctrine in which they would all agree; but what was most amazing was that the right hon. Gentleman said—"That is exactly what we have done." Why, it was a month ago since the thing was done, and they had not come down for the concurrence of Parliament yet; and when the Chancellor of the Exchequer was asked about the matter, he said—"We did not even think it necessary to allude to it." And that was what the Secretary for the Colonies called following the example of the right hon. Gentleman the Member for Greenwich! All he could say was that the Secretary for the Colonies was not a very apt disciple of the right hon. Gentleman the Member for Greenwich. The right hon. Gentleman said that the object of the movement was to show to Europe that the British Government had the command of the Forces of a united Empire. But if they had pursued a different method, they might have shown not only that they had the command of the Forces of a united Empire, but the support of a united Parliament. [*Laughter.*] He did not know what the laughter meant. Did it mean that the Government did not communicate their intention because they did not think Parliament would support them? The Government had not ventured so far as that; but he thought the laughter of hon. Gentlemen opposite meant that. Passing from the right hon. Gentleman's speech, he would ask the House to consider some of the other speeches which had been made—very interesting, no doubt, but without any particular bearing upon the Resolution of the noble Lord. What was the meaning of that Resolution? It did not dispute, and he did not dispute, that this employment of Indian troops was a thing which might be done, and which ought to be done. But the question was whether this was a thing which ought to have been done in the manner in which it had been done. That was really the only question before the House. Some people said it was a very trivial matter, but he maintained it was not a very light thing to depart from Constitutional precedent. Hon. Gentlemen opposite—among them the hon. Member for the Tower Hamlets (Mr. Ritchie)—had said that, after all, it was a question of the responsibility of the Government; but what did that mean? Did it mean that a Government was entitled to do anything in which it could secure the support of a majority? If so, it was a very dangerous proposition. Hon. Gentlemen opposite might not always be in a majority; and they might depend upon it, it was quite as important for them to consider the matter. The principles of the Constitution were checks upon majorities. They had seen Assemblies where democratic principles had prevailed, and where a majority had ruled without Constitutional checks. If these checks were swept away, they might depend upon it the danger was very great to whichever Party might prevail. When, therefore, they said that the act of the Government was being covered by a majority, surely they did not mean that a Government ought to be allowed to do anything, regardless of Constitutional checks, so long as it was certain that it might come down and get the sanction of a majority.

Mr. RITCHIE said, if the hon. and learned Gentleman was referring to his observations, he begged to disclaim his interpretation of his argument. What he said was, that the question of urgency was a question which must be decided by Ministers on their responsibility.

Sir WILLIAM HARCOURT said, he was not referring particularly to the hon. Gentleman; but he would deal with the argument upon its own merits. We must regard these Constitutional checks as something totally different from the power which a Government had to cover anything it might do by the vote of a Party majority. The Government relied upon the fact that in 1775, the Motion against the employment of foreign troops in British territory was rejected by a large majority. But those were bad times, and there was no Government who, in bad times, might not command a majority in Parliament. We were now in the presence of a proceeding which, as his noble Friend had said, was certainly a novel proceeding. The Indian Army had only to a slight extent been used outside India, and in each of those cases provision for it had been voted by Parliament in the Estimates of the year. It might be wise to employ the Indian troops for general purposes; he did not say it was not. But it could not be denied that the principle of so employing them was a novel one, and therefore it ought to be examined. As he understood the contention of the Chancellor of the Exchequer, these troops were to be used in exactly the same manner as the other Forces of the Crown. That was an important proposition, as affecting not only the members of the Army, but as equally affecting Parliamentary control over the Army, and they could not blame the Opposition for examining it. If it was a right thing to do, Parliament ought deliberately to have pronounced it to be right; but it could not be right that it should be slurred over, and that Parliament should treat with carelessness and negligence a matter on which their ancestors and Predecessors were justly and wisely jealous. What was the position of Her Majesty's Government in this matter? They said—"These Indian troops are in exactly the same position as any other of our troops, and therefore they should be dealt with in the same manner." But he and those who thought with him entirely denied the truth of that proposition. They said that the British and the Indian Armies were under totally different conditions, and that when it was sought to convert Indian into British troops the authority of Parliament should first be obtained. The hon. Member for Mid-Lincolnshire (Mr. Chaplin) had just now challenged the phrase "Parliamentary Army," used by his noble Friend. It was, however, perfectly justifiable when rightly understood. In one sense the English Army was a Parliamentary Army; in another it was the Army of the Crown. The control of the Army was in the hands of Parliament—it determined the number and pay of the Force, and it gave authority for its discipline. The Executive, on the other, had in its hands the discipline of the Army, and by this wise compromise the rights of a free people had been reconciled with the Prerogative of an ancient Monarchy. But not one of these conditions applied to the Indian Army, and that made the whole difference between the Indian and the British Army, all the elements of control being absent in the case of the former. The general principles of the relation of Parliament to the Army had been declared in the Bill of Rights. As he had said, the main element was the voting of the money; but it was a mistake to say it was only the money which was voted. In 1843 there were riots in Lancashire, as there unhappily were at the present time, and Sir Robert Peel's Administration thought it was necessary to embody the Chelsea Pensioners. When the Bill for that purpose was brought into the House of Commons, there was no specification of the numbers, and at the instigation of the Liberal Party a limitation was placed on the number to be embodied, which would be found in the Act. That showed that the principle of enforcing the limitation of numbers had been observed down to the latest times. He could not admit that the case of the Abyssinian War, and the employment of Native troops therein, came within the principle which was urged in support of this particular line of conduct on the part of the Government. Abyssinia was not within the dominions of the Crown, and the time was not a time of peace. So far as he knew, the only cases in which Native Indian troops had been employed out of India in time of peace were when they served in Hong Kong, Singapore, and Labuan; but, on those occasions, they were included in the Votes. He did not contend that these troops should be included in the Mutiny Act; but they ought, at any rate, to be included in the Votes for the numbers of men and for the money which was to be used in paying them. He wished to say one word about the contention that the Bill of Rights only applied to the United Kingdom. The old recital was only done away with 10 years ago, by which it was upheld that troops were maintained for supporting the balance of power, and he did not know why it was struck out by the present Prime Minister. Coming to the Act of 1858, the Indian Army never was and never had been on the same footing as the English Army. It was not voted in numbers; it was maintained by moneys which did not come from Parliament, and it was governed by a Mutiny Act, which was not annual, but perpetual. Now, all those anomalies were tolerated with respect to the Indian Empire, and that was the reason why the Indian Army was, and as long as it remained in India must be, different from the Army of the Crown. If this non-Parliamentary Army was to be treated on exactly the same footing, Canada, Australia, and the Channel Islands, and, according to his view, the whole of the United Kingdom, might be filled with troops who were not voted by Parliament, and who were not subject to the Mutiny Act. That would be betraying the ancient liberties of the country, and was exactly what had happened in ancient Rome. They could not be too cautious in this respect. The Chancellor of the Exchequer said it was only moving troops from one part of the Empire to another. Yes; but the distinction was between non-voted Forces and voted Forces. The Act of 1858 was indirectly clear upon this subject—not directly, he admitted, because it was stated that the troops should not be moved out of India and charged upon the Indian Revenue. But the Government had violated the Act, and the Chancellor of the Exchequer admitted that the very thing he had now done was contrary to the law. [The CHANCELLOR of the EXCHEQUER dissented.] The right hon. Gentleman shook his head; but what he told the House he was doing was that he should move these troops from India, charging the cost in the first place on India, and then recouping the Indian Revenue afterwards. That was exactly what was done in the case of the Abyssinian War —the charge was put first on India, to be afterwards repaid. [The CHANCELLOR of the EXCHEQUER: Only to repay them partially.] In the case of the Abyssinian War, the Chancellor of the Exchequer confessed that what he had done was outside the letter of the law, and pleaded in extenuation that others had done the same thing before him. That was a very pardonable thing, then, in the face of the bad example set him. [Mr. GLADSTONE: It was not a bad example.] He would not argue the matter with his right hon. Friend. All he could say was that, having discovered that the thing was unlawful and required condonation, the Chancellor of the Exchequer had come again to the House of Commons and done the very thing which he had found was unlawful—that was to say, making an advance from the Indian Revenue, with the intention of recouping it afterwards. Of course, they would hear the explanation the Chancellor of the Exchequer had to give them. He (Sir William Harcourt) said that Parliament must vote these men not only as a Constitutional principle, but as a matter of necessity. They must vote them as new levies, otherwise they would have no control over them. He considered that he had now shown that the Government had violated the rules of English finance. The rule of English finance was that the object should be first stated to Parliament, which should then vote the expenditure necessary to carry it out, unless they obtained a Vote of Credit for the expenditure, for which they might afterwards account to Government. If, however, it was enough for Government first to spend the money, and then come down and ask Parliament to sanction the expenditure, where, he would ask, was the use of a Vote of Credit at all? He had endeavoured to discuss this question far from anything like Party asperity, as he wished rather to maintain a great Constitutional principle than to gain any mere Party advantage. Indeed, he was bound to say that he was not opposed to the general policy of Her Majesty's Government. So far as they were contending for the authority of England, and that she should have her just weight in the councils of Europe, he entirely agreed with them. He had always desired, and did now desire, that the dominion of Turkey should be put an end to. But he had never desired that Russia should have the undisputed control of the East; and, if the policy of the Government was to insist that Europe and England should be consulted in this matter, he was ready to place at their disposal, not only the Forces of the United Kingdom, but of the Empire generally. But it seemed to him quite as necessary for them to have, in a matter of this kind, the cordial co-operation of the House of Commons, which could only be obtained by treating the House on terms of complete confidence. It seemed to him that it was never more necessary than at a time of public danger, to adhere to the principles of the Constitution — he did not mean in a pedantic spirit. If the Government convinced the country that an overwhelming necessity existed, the country would put a liberal construction upon their acts. But what was the case? No such plea was put forward. The Government had not said—"We were obliged to do this thing, and could not consult you." No such thing. They came down and said it was not necessary to consult Parliament at all. With the majority they had at their backs, they might have had the Vote at any time for the last month. They might have had it before Parliament adjourned. They might have had it sooner. They might have had a Vote of Credit. Well, what was the plea of urgent necessity? The secret of the Government had been known for a month, and yet they said they could not communicate it to Parliament. What the Government said was, that this was to be a demonstration of the Forces of a united Empire. It could not be demonstrative and secret too. This essence of a demonstration was, that it should be made public. They could not demonstrate in secret any more than they could conspire in public. He did not impute to the Government any of the sinister motives that had been attributed to them in trying to find out precedents of Prerogative. There was a good deal of the trash of Imperialism talked in places where they would not expect to hear it, and written in quarterly organs, which, it was said in one case, ought to be burnt by the common hangman. Well, they did not do that kind of thing now, but rather reserved them for domestic use. He believed that what they had done was a sheer blunder, and it was a greater mistake that it had not been corrected. Very much the same kind of blunder had been committed by Mr. Pitt in 1794, accompanied by similar criticism, when he advanced the very violent doctrine of Prerogative, that the Crown had a perfect right to bring any number of foreign troops into the United Kingdom without the consent of Parliament. He was offered a Bill of Indemnity, and refused to accept it; and *The Annual Register*, which was written in those days by men of ability not unfriendly to him, said, that though people approved of the measure itself, still the propriety of a Parliamentary Commission for it appeared manifest; that the Ministers declined to accept an indemnity for conduct which was not reported blameworthy in any other light than in their refusal to acknowledge its illegality; that it was not without difficulty that their friends could find arguments to exculpate them; and that false pride and obstinate prejudice induced them to uphold measures once adopted, rather than candidly and magnanimously to admit an error. But how had the Government met the Motion of his noble Friend? The Amendment of the right hon. Gentleman the Secretary for the Colonies did not take issue upon the Constitutional principles laid down by the Motion. It did not deny them. It did not accept them. It did not regard the Motion as a Vote of Want of Confidence. It was an appeal of what lawyers called confession and avoidance. It was a mixture of the Previous Question and a sort of resolution of general indemnity. That was not the way in which a grave error, however unintentional, should be atoned for. He believed that the principles which the Government had infringed in this case were principles that required to be re-established by the Resolution which his noble Friend had proposed, because it asserted principles which were consistent with the Prerogative of the Crown, which were agreeable to the authority of Parliament, and which, therefore, were essential to the interests of the Empire.

Mr. E. STANHOPE said, that in the course of the debate to which they had listened, and in no slight degree in the speech which they had just heard, there had been a great deal of confusion of thought which, in the first instance, he desired to clear up. What Her Majesty's Government wanted to know was, whether they were really charged with a breach of their Constitutional obligations, or with the crime of secrecy, in having concealed from their political opponents something they thought they had a right to know. From what had occurred he was inclined to think that it was because the Government had not told them what they proposed to do that they brought forward this Resolution. The charge of secrecy, however, had been, he thought, sufficiently answered by his right hon. Friend the Chancellor of the Exchequer. But he must say that if they desired to seek any further justification, or to prove the necessity of the step which the Government thought it necessary to advise Her Majesty to adopt, it would be found in the proceedings of that night and of the last fortnight. Was it not perfectly obvious that, if the Government had come down to the House and stated that Indian troops were to be brought to Malta, they would have been exposed to a perfect catechism? They would have been cross-examined as to the ultimate destination of the troops, as to whether 7,000 was the limit they intended to propose, and they would have had such patriotic speeches as that of the hon. Member for Kirkcaldy (Sir George Campbell), who thought it consistent with his duty to express for the advantage of the enemies of this country his opinion of the character and qualities of these troops. Never did he hear a more despairing speech than that of the hon. Member for Orkney (Mr. Laing). As to a great part of it, he would be prepared, when the proper time came for discussing this question upon its merits, to meet the arguments of the hon. Member; but he ventured at once to protest against some of the doctrines laid down by the hon. Gentleman. And he had gone just one step too far. He had told them a story to show why they ought not to engage the services of the Indian troops outside of India. It happened that the story attracted the attention of his right hon. Friend the Chancellor of the Exchequer, who had a retentive memory, and he had referred him (Mr. Stanhope) to an occasion when the hon. Member related the same story—of that he did not complain, as a good story would bear repeating—but, unfortunately, it was used to support just the opposite principle. The hon. Member contended in 1867 that the employment of Indian troops was most desirable, and that, being in India when the Indian troops were returning from service in China, and having special opportunities of consulting military men, he could declare that in India we possessed a Reserve in an extremely warlike population which might be drawn on largely for reinforcements. He said, also, that the Sikhs, who had served in China, had been so much impressed with the valour and discipline of the British troops, and their superiority to the French, that they evinced the greatest desire to serve with the British in any part of the world they might be sent to. He hoped the hon. Gentleman who had just related the story would change his mind on the subject once more, and quote the story in support of his original view. As for the speech made by the noble Lord the Leader of the Opposition, it reminded him (Mr. Stanhope) of what used to take place at quarter sessions. He had always found there that when any person was anxious not to have a discussion upon the merits, he always raised a preliminary objection upon the notices. That was what the noble Lord in effect had done. He had said to the Government, "Prove your notices." The noble Lord would not attend to the political bearings of the question, he would not consider the opportuneness of what had been done and the necessities of a great crisis; all he would think of was his technical point. It had been stated by the noble Lord with great fairness and moderation; but when the hon. and learned Member for Oxford (Sir William

Harcourt), who had some claim to be considered a Constitutional authority, rose, he fully expected to hear some argument adduced in support of the Motion; but he did not hear a single argument from the hon. and learned Gentleman addressed to the Constitutional aspects of the question. Much had been said about the consent of Parliament. Well, what did that mean? The noble Lord seemed to be a little shy of it. He was a little afraid of that plank in his platform. He went back to the year 1734, and told them what somebody else had then thought might be the different meanings of the phrase. But he would have liked to have got from the noble Lord what he himself meant by it in his Resolution. Parliament must mean both Houses of Parliament. The noble Lord could not get out of that position. It could not mean the vote of the House of Commons only; and he protested against any interpretation of the Resolution in that sense as an utterly unconstitutional proposition. But what the consent of Parliament undoubtedly involved was excessive delay. If this Resolution were correct, it applied not only to Native troops in India, but it applied to British troops in India; and, suppose there was a revolt in Ceylon, the consent of both Houses would be required before we could move British or Indian troops into Ceylon—that was what the proposition would lead to. Suppose Parliament was not sitting. Of course they might call Parliament together; but that would involve a delay of five or six weeks at least, so that they would not be able to move a single regiment without calling Parliament together in order to receive its sanction. Or, if there was a revolt in the Mauritius, they must send home and get a Vote of Parliament before they could take measures to put it down. But that was not all. What they wanted in a case of that kind was to send troops, if they could, to overawe an insurrection, rather than to put it down after it had occurred. If this Resolution was accepted, they would not be able to move a single regiment until they had obtained the consent of Parliament. Then a question had been raised as to the limits of the employment of the Native Army, and as some exception had been taken to the argument of his right hon. Friend (Sir Michael Hicks-Beach), it was only due to him to re-state, as far as he was able, one or two points which he desired the House to consider. What was the position of the Indian Army? It was clear that in the time of George II. it was not intended to go beyond the limits of the trading Company; but it had been the subject of subsequent legislation; and in the Preamble to the Statute of 4 *Geo.* IV. it was referred to in terms which assured its employment not merely within the limits of the Charter of the Company, but anywhere upon land or sea, within or without the limits of the Company. If Parliament then made that declaration, it could not now be maintained that Indian troops could only be employed outside the limits of India after obtaining the consent of Parliament. If it were unconstitutional, why had Parliament declared, in such wide and comprehensive terms, that the Indian Army might go anywhere? The fact was that the Indian Army had been employed elsewhere. That was a fact which it was impossible to get over. It had been sent to the Cape and to China; and if they were going to contend that what had been done already was a thing which ought not to be done now, they ought to bring forward the most definite and conclusive propositions in support of, and in proof of, such contention. But what had the noble Marquess done? Why, he had told them that he did not so much rely upon any particular words as upon practice and precedent. But precedents, so far as he (Mr. Stanhope) was able to understand them, were in favour of the action of the Government. But the noble Lord thought his proposition so clear, so indisputable, that it was worthy of being submitted to the consideration of the House of Lords without taking a division. The proposition of the noble Lord was not affirmed by the Bill of Rights. The Bill of Rights said "within the Kingdom;" therefore, no one could maintain that it forbade the use of the troops which the Government had made. Then it was said they did not rely on the exact words, but on the principle of the Bill of Rights. The noble Lord had relied on the precedent of 1775; he said at that time it was agreed on all sides of the House that the proposition for which he contended was a sound one, and that the Kingdom included the Dominions of the Crown.

while, on the one hand, it was the advantage and the strength of their Constitutional system that it was capable of easy extension and adaptation to the altered circumstances of the Empire, so it ought not to be their weakness that, while amply secured against any real dangers, they were to be fettered and hampered by a too rigid interpretation of technical rules in the development and employment of their power. They all remembered the classical story of the man who carried a newly-born calf, and day by day as it grew he continued to carry it, so that his powers became enlarged just in proportion as the demand upon them increased. So must it be with England. They too, always, indeed, on the whole with advantage, but sometimes with purpose and deep anxiety, had had to bear an ever-increasing burden. And lo! it was suddenly made lighter. India had contributed, and willingly to the strength of their Empire. The Government had asserted the strength of the British Empire in the midst of a crisis which might exercise a material influence on the future of Europe. Was it necessary, wise, or opportune, to choose that exact moment to cast doubt upon the legality of this proceeding on the part of the Government, and in the eyes of Europe—because Europe would not understand these technical distinctions which hon. Gentlemen opposite had been attempting to draw — upon its wisdom also. To that question Her Majesty's Government awaited the answer without anxiety; because, whatever might be the feebleness of the efforts they could make to maintain the honour of the country, they would be satisfied, if it were said of them, as it had been said of another man in days gone by—"They knew how to make a small State great."

Mr. FAWCETT moved the adjournment of the debate.

The CHANCELLOR of the EXCHEQUER hoped the House would assent to the debate being renewed on Tuesday, and that hon. Gentlemen who had Notices on the Paper for that day would give way.

Mr. W. HOLMS said, he had no wish to interrupt the progress of so important a debate. He stood first on the Orders of the Day for Tuesday, and had a Resolution of considerable importance to propose on a question which excited great interest in Scotland. He, therefore, asked the Chancellor of the Exchequer to give him a day for his Motion. He did so the more readily, because during this Session Scotland had not received a large amount of attention from the Government.

Mr. DILLWYN objected to private evenings being taken for the discussion of public matters.

Motion *agreed to*.

Debate *adjourned* till *To-morrow*.

ORDERS OF THE DAY.

SUPPLY.—REPORT.

Resolution [16th May] *reported*.

First Resolution read a second time.

Mr. PARNELL objected to the Resolution, because the amount included £289 for the printing in connection with the Queen's Colleges, Ireland. Whatever might be the merits of the system of education in Ireland, he, and the great majority of the Irish, were opposed to it, and he could not conscientiously allow any Vote on its behalf to pass unchallenged. It was impossible for him to express the extent to which he felt himself responsible in this matter; and if hon. Members looked into the way these Queen's Colleges had been worked, if they saw how they had failed in carrying out the ideas of the Legislature, it would be perfectly apparent why Irish Members should feel deeper interest in the question of education than in any other Irish subject which came before the House. The Queen's Universities were formed for the purpose of supplying University Education to those classes in Ireland who could not conscientiously avail themselves of the education afforded at Trinity College, Dublin. But, well-meaning as the determination on the part of the Legislature was, these Colleges had been to a very great extent——

Mr. SPEAKER: I would remind the hon. Member that, on the question of a Vote for Stationery, it is not competent for him to enter into a general discussion regarding the Queen's Colleges.

Mr. PARNELL said, he bowed to the decision of the Speaker; and, as he could not, by the Forms of the House, move to leave out the one item of £289 for Stationery for the Queen's Colleges, he should move to reduce the Vote by £271,000, the whole amount set down for Stationery.

Amendment proposed, to leave out "£376,545," in order to insert "£105,545,"—(*Mr. Parnell,*)—instead thereof.

Question put, "That '£376,545' stand part of the said Resolution."

The House *divided;* Ayes 115; Noes 13: Majority 102.—(Div. List, No. 142.)

Resolution *agreed to.*

Subsequent Resolutions *agreed to.*

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Tuesday, 21st May, 1878.

MINUTES.]—*Sat First in Parliament*—The Lord Middleton, after the death of his father.
PUBLIC BILLS—*Second Reading*—Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation * (82).
Committee— Contagious Diseases (Animals) (76-88).
Committee—Report—Local Government Provisional Orders (Abingdon, &c.) * (83); Public Works Loans * (81).
Third Reading—Adulteration of Seeds Act (1869) Amendment (79), and *passed.*

NAVY—FOUNDERING OF H.M.S. "EURYDICE."—QUESTION.

EARL DE LA WARR asked the noble Lord who represented the Admiralty in that House, three Questions of which he had given him private Notice—namely, What further preparations are being made for raising the "Eurydice;" what was the total number of bodies that has been recovered up to the present time; and whether there is an efficient boat and crew on board the vessel moored near the wreck, to be sent out if required to pick up bodies which may come to the surface?

LORD ELPHINSTONE reminded their Lordships that the original intention was to raise the *Eurydice* by placing two lighters, one at bow and one at stern, which were to be attached by hawsers at low water. It was hoped that as the tide rose the vessel would rise with it. The great difficulty had been found to result from the strength of the tides. The *Eurydice* was in 12 fathoms of water, across the tide, and, as the latter ran generally five to six knots, it had been found almost impossible to keep the lighters in position—especially in the unfavourable circumstances of the weather. To give them an idea of the difficulties which the working parties had had to contend against, he might refer to the official report of operations since the 7th.

> "From the 7th to the 11th, divers down seven to eight hours; since the 12th only down once for a short time, but too much sea to work; 15th, rolling truly dreadful, since which no diving; gale."

What was now intended was this—to moor four additional lighters immediately over her—divers would be employed in placing toggles in ports on each side; to the toggles would be attached steel hawsers, and these would be brought to the four lighters, which, in addition to the two original lighters at bow and stern would, it was anticipated, lift the vessel bodily out of the bed she had made for herself. She had settled 9 feet, and her lee ports were level with the sand. With regard to the second Question of the noble Earl—the number of bodies recovered up to the present time was 20. There were boats and efficient crews to man them—boats that could live in all ordinary weather. On several occasions the weather had been such that no boat could live. There were dockyard tugs also constantly on the look-out for bodies, except when the weather was too bad to allow them to remain near the wreck.

CONTAGIOUS DISEASES (ANIMALS) BILL—(No. 76.)

(*The Lord President.*)

COMMITTEE (ON RE-COMMITMENT).

House in Committee (on Re-commitment) (according to Order).

THE DUKE OF RICHMOND AND GORDON moved numerous Amendments (No. 76*a* 76*b*), which were *agreed to, pro formâ.*

The Duke of RICHMOND and GORDON said, he proposed that the Bill should be re-committed on Monday, when the Amendments and new clauses could be discussed.

The Report of the Amendments to be received on *Thursday* next; and Bill to be *printed*, as amended. (No. 88.)

ARMY EXAMINATIONS—RIDING AND ATHLETICS.

QUESTION. OBSERVATIONS.

Viscount HARDINGE asked, Whether the Secretary of State for War has considered the propriety of allotting a certain number of marks for proficiency in riding and athletics in the examinations for entrance into Woolwich and Sandhurst Colleges? He thought that the giving of such marks was so desirable that it ought to be the rule in examinations for the Army; though, with candidates for the Militia, he would leave riding and athletics entirely optional. It was hardly necessary to say that proficiency in riding was of great importance to young men who proposed to enter the Cavalry. The Duke of Wellington used to say that he found the best Cavalry officers to be men who had been accustomed to ride to hounds. Now every officer who sought admission to the Staff College must produce a certificate of proficiency in riding. It might be said that a young officer would be taught at Sandhurst all the riding he required. He had nothing to say against the system of instruction in riding at Sandhurst. A large number of young men entered the riding school there who never had been on a horse before; they were made to go over a number of fences, and they got a number of falls which did them all the good in the world; but they could not in a term or two at Sandhurst make a good rider of a young fellow who had never been on a horse till he was 19 or 20 years of age. As regarded athletics, they were now practised at all their public schools, and not unfrequently were a part of the *curriculum;* but a proportion of the candidates for commissions in the Army were not educated in their public schools. It was to be borne in mind that, while the medical examination of the men was very critical, that of the officers was not very strict. If the heart and lungs of the latter were found to be sound, and they had not varicose veins, they were passed; but very weedy young men might pass the medical examination, and the gymnastic course which the cadets went through in the Military Colleges would not convert a weedy man into a strong one. It was an old saying that no person should go into the water till he knew how to swim. He thought it might fairly be said that no one should go into the Army till he knew how to ride. He would have examinations in four physical exercises — swimming, leaping, walking, and riding; but a boy need not go in for them all—he might even go in for one only; and it might be left to the candidate to choose from among them. He submitted that the examinations should not be, as they were at present, purely intellectual.

ARMY—COMPETITIVE EXAMINATIONS FOR COMMISSIONS.

QUESTION. OBSERVATIONS.

Earl FORTESCUE said, that having long bestowed much attention on educational questions, he had naturally interested himself in the new system of competitive examinations for commissions in the Army. He had, during the last few years, on different occasions, publicly stated his views on the subject, and, as late as last July, addressed their Lordships at some length upon it. He had then expressed his earnest hope that the Government would carefully consider the question during the Recess, and, for the sake of obtaining the best and most efficient officers, allow excellence in martial and athletic exercises to have its due weight in competitive examinations for commissions, in the non-scientific, as well as the scientific branches of the British Army. He was now happy to have reason to believe that the Government had carefully considered the question. He was not at all opposed to competitive examinations, in order to enable the best out of the numerous candidates for the honour of serving the Queen in the Army to be selected. By all means, let Her Majesty take the best men, but let them be the best men all round, the most likely to prove efficient officers, and not merely the best scholars. The views which he had expressed were not based upon his own individual judgment alone, but upon the opinion of a number of distinguished officers of all ranks, from Field Marshals, downwards, who were all agreed upon it. That noble veteran, Sir John Burgoyne, whose military experience had commenced before this century, himself a man of much literary culture as well as of notoriously eminent scientific and professional attainments, in the very last conversation he had with him, expressed his fear lest too exclusive importance should be attached to mere book learning as a qualification for officers, and his conviction that a certain hardihood and love of adventure, such as was generally found in men addicted to field sports and athletic exercises, was much to be desired in the profession. Another friend of his, distinguished for his efficiency in the command of his regiment, an enthusiast for competitive examinations, had told him, that, in his opinion at least one-third, if not more nearly one-half of the marks ought to be allotted to proficiency in martial and athletic exercises. But this view was not confined to officers; it commended itself to non-professional men of common sense also. A right rev. Prelate, eminently successful as Head Master of a great public school, told him he had once had the offer of a commission in the Army for anyone he chose to name from that school; that he then, reflecting that the boy most likely to win a University Scholarship would not necessarily be the fittest to carry the Queen's Colours, instituted a competitive examination, partly intellectual, partly athletic, among the boys desiring the commission; and that he felt satisfied he should send one who would do credit both to his school and to the Army, when, on adding up the marks, he ascertained that the successful candidate was the captain of the School Eleven. The Clerical Pedagogue, it seemed to him (Earl Fortescue), contrasted favourably in this instance as regarded common sense, with the eminent statesmen and distinguished officers, the Members of the Legislature and men of the world, who had devised the present system, notwithstanding the long-established recognition of a different principle in the examinations for commissions in the scientific branches of the Army. Surely, good riding, to which the noble Viscount opposite had so justly attached importance, was less essential to the Engineer than to the Cavalry Officer, whose duties obliged him to be so much on horseback; and yet, strange to say, the candidate for a commission, if in the Engineers, got marks for it, but if in the Cavalry, got none. The only explanation was that the examinations for the Engineers and Artillery had been the result of experience of the requirements of the Service, while the present system of examinations for the non-scientific branches had been somewhat crudely and hastily adopted under the pressure of popular clamour. He protested, not against the principle of competitive examinations, but against this application of it as opposed alike to experience and to common sense, and begged to put the Question of which he had given Notice—namely, Whether the late Secretary for War did not appoint a Committee to inquire into the expediency of extending to the examinations for commissions in the non-scientific branches of the Army, the principle, long recognized to a certain extent as regarded those for the Engineers and Artillery, of giving a certain number of marks for proficiency in certain martial or athletic exercises; and, if so, whether that Committee had yet made any Report, and, if they had, whether the Government were considering the practicability of taking steps to modify the present system accordingly?

LORD HAMPTON said, that as the Head of the Civil Service Commission, this subject had attracted his attention, and he had thought it his duty to give his attention to it. The examination of candidates for the Army was now intrusted to the Commission. He had been much struck how much these examinations turned upon educational and mental qualifications, and he arrived at the conclusion that the examinations for those candidates were of too exclusively an intellectual character. Having well considered the question, he thought it desirable, under a judicious arrangement, to supplement—not supersede—the present system by physical tests. He had communicated that opinion to the Field Marshal Commanding-in-Chief, and His Royal Highness, without committing himself to any particular plan, expressed his strong approbation of the principle of such a test. He also called the attention of his noble Friend (Viscount Cranbrook), who was then Secretary of State for War, and he also entirely concurred in these views. Eventually, it was thought advisable that there should be a conference between some representatives of the War Office and the Civil Service Commissioners on the subject. His noble Friend appointed a Committee of three Staff officers, who, with him, as representing the Civil Service Commission, had very attentively considered the subject. A unanimous Report, in which a test of physical efficiency was recommended, had been agreed to. He hoped to hear from his noble Friend the Under Secretary of State for War, that the Government would lay that Report on the Table.

VISCOUNT BURY need hardly say there was an almost universal consensus of opinion, among military men and non-military men, that it was desirable there should be some sort of physical test for candidates seeking commissions in the Army. The first duty of the authorities in these matters was, of course, to see that their young officers were educated men; but, that object secured, if a physical test could be added, it would be of advantage. Until the Report of the Committee referred to by his noble Friend had been sufficiently considered by the illustrious Duke at the head of the Army, and by his right hon. and gallant Friend the Secretary of State for War, it was regarded as a confidential document, which might be altered in its details, and, therefore, it would not be convenient to produce it now; but when His Royal Highness and his right hon. and gallant Friend had had an opportunity of perusing and considering the Report, whether favourable or unfavourable, it would be laid on the Table, when no doubt it would receive the attention it demanded as an expression of opinion of the noble Lord, whose experience so well entitled his views to consideration.

THE MARQUESS OF LANDSDOWNE said, he did not think that the proposal of a physical test for candidates seeking commissions could, with advantage, be discussed by their Lordships till the Report of the Committee was in the hands of their Lordships. He rose to point out an error into which the noble Earl (Earl Fortescue) had fallen, when he described the competitive examinations as having been hastily and crudely introduced in answer to popular clamour. That was altogether a mistake. They were introduced with the utmost deliberation and in compliance with the Report of a Royal Commission, appointed by the noble Lord who had just spoken, and who was at the time Secretary of State for War. His noble Friend behind him had acted upon the Report of that Commission, which had unanimously recommended a system of competitive examinations, directed not to test the ability of the candidates in military subjects, but their proficiency in those subjects, which were usually to be learned at our great public schools. He did not say anything against a physical test, if it were possible to introduce it —the experiment would be watched with interest on both sides. He could not, however, but feel that whatever amount of caution might be used, they would have still to encounter the same class of difficulties as that which had to be contended with at present. He believed it to be beyond the reach of ingenuity to devise a perfect system of examination. There must be cases of bad luck, and chance must come in, whatever the system of examination might be. He did not like to make a gloomy anticipation, but the application of the physical test might result in the exclusion of young men who, hereafter, might have proved very valuable officers. There were many young men of 19 and 20 who never had had an opportunity of acquiring the art of equitation or of learning to swim. He would only add, that it would have been an advantage if noble Lords, who had inveighed so often against the present examinations, had told them not only whether the existing system of examinations was likely to act unfairly with respect to candidates, but whether it actually had done so. That proposition, however, was one which he had never heard distinctly advanced during the time this question had been discussed.

House adjourned at Six o'clock, to
Thursday next, half past
Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 21*st May*, 1878.

MINUTES.]—NEW MEMBER SWORN—Viscount Castlereagh, *for* the County of Down.

PUBLIC BILL—*Committee*—Sale of Intoxicating Liquors on Sunday (Ireland) [44]—R.P.

QUESTIONS.

RUSSIA—PURCHASE AND EQUIPMENT OF PRIVATEERS.—QUESTION.

MR. GOURLEY asked Mr. Attorney General, If his attention has been called to the alleged purchase and equipment by the Russian Government and Russian subjects of United States' steamships for the purposes of being employed and commissioned as public Privateers; and, if he can state how far the allegations are correct, and the nature of the responsibilities attaching to the United States' Government under the Treaty of Washington, and to the Russian Government and Russian subjects under the Declaration of Paris, should the vessels in question, or ships of other neutral countries, be commissioned for the capture of British shipping in the event of War?

THE ATTORNEY GENERAL (Sir JOHN HOLKER): Sir, in reply to the hon. Gentleman, I beg to state that steamships have been recently purchased in the United States by persons who are said to be acting on behalf of the Russian Government; but her Majesty's Government have no information which would lead them to believe that these vessels are intended, in the event of war, to be commissioned and employed as privateers, in contravention of the Declaration of Paris, to which Great Britain and Russia were parties, and whereby it was agreed that privateering should be, and remain, abolished. By Article 6 of the Treaty of Washington, Great Britain and the United States agreed to observe in future, as between themselves, the three rules therein laid down as binding on a neutral Government in time of war; and Her Majesty's Government have no reason to apprehend that the Government of the United States have any intention of departing from the observance of those rules, if circumstances should call for their application. I think it is hardly necessary, therefore, to consider what responsibilities would attach to the United States' Government or to the Russian Government, in the event of any violation on their part of the obligations by which they are bound under the Treaty of Washington and the Declaration of Paris respectively.

BORNEO.—QUESTION.

MR. ERNEST NOEL asked Mr. Chancellor of the Exchequer, Whether Her Majesty's Government has arrived at any decision with regard to the Treaties for the cession of extensive tracts of territory on the northern and western coasts of Borneo, which have recently been concluded between the representatives of an English Company and the Sultans of Brunei and Sulu; and, if so, whether he will lay upon the Table of the House, Copies of the Treaties, and of all Correspondence in relation thereto?

THE CHANCELLOR OF THE EXCHEQUER: Sir, Her Majesty's Government have deferred coming to a decision in regard to this question until after the arrival in this country of the promoters of the scheme, which is expected to occur in the course of the summer.

GRAND JURY LAW AMENDMENT (IRELAND) BILL.—QUESTION.

MR. M'CARTHY DOWNING asked the Chief Secretary for Ireland, Whether it is his intention to proceed with the Grand Jury Law Amendment (Ireland) Bill, with a view to its becoming Law during the present Session; and, if so, when does he intend to move the Second Reading of the Bill?

MR. J. LOWTHER: Sir, I am most anxious to proceed with this Bill without delay, and I was in hopes that before Easter—[*Cries of* "Whitsuntide!"]—I mean what I originally said, Easter—that before Easter the House would have had an opportunity of disposing of the second reading. The time, however, occupied in the discussion of various other measures, to which I need not particularly refer, unfortunately disappointed those expectations. As to when I intend to move the second reading, the hon. Gentleman will not be surprised if I am unable to give any definite answer to his Question, when he considers the state of the Order Book, and especially the position of Supply. I hope, however, it will not be long deferred, and that to that end, hon. Members who take an interest in the Bill, will afford their assistance in preparing the way for its consideration at an early date.

ARMY—VOLUNTEER ARTILLERY ADJUTANTS.—QUESTION.

Colonel MAKINS asked the Secretary of State for War, If he is aware that Adjutants of Artillery Volunteer Corps receive 7*d.* a-day less pay than Adjutants of Rifle Volunteer Corps; and, if he will take steps to remove this inequality of pay, as the offices are equally onerous?

Colonel STANLEY, in reply, said, that both of those officers were paid according to their respective ranks in the Regular Service, and that the rate of pay was was not adjusted with reference to the duties they performed, but was simply the full pay due to their respective ranks.

STRAITS SETTLEMENTS—THE PERAK EXPEDITION ALLOWANCES.

QUESTION.

Mr. Serjeant SIMON asked the Secretary of State for War, Whether the "batta" promised to the officers and men of the Perak has been paid to the men, and at what rate; whether the payments to the officers have been deferred; and, if so, for what reason; and, at what rate it is intended to pay the officers?

Colonel STANLEY, in reply, said, that the batta or extra field allowance in question was at the rate of 4*s.* 6*d.* a-day to field officers. 2*s.* 6*d.* to captains, and 1s. 6*d.* to subalterns, for six months. It was paid as the claims came in; but as nominal returns were required, and as one of the regiments was now at the Cape, there was considerable difficulty in obtaining the required information. He was not aware of any other reason for the delay that had taken place.

PARLIAMENT—BUSINESS OF THE HOUSE.

POSTPONEMENT OF MOTIONS.

Mr. W. HOLMS, who had the first Motion on the Paper relating to Religious Denominations (Scotland), said, that he had no wish to interfere with the course of an important debate, and expressed his willingness to postpone his Motion, provided that other hon. Members who had Motions on the Paper took the same course.

Mr. A. MOORE said, he would also postpone his Motion relating to Pauper Children in Irish Workhouses.

Mr. PARNELL said, that as he had a Motion on the Paper relating to the Sales of Irish Church Lands, he wished to explain the course which he proposed to take. He should be very unwilling to interfere between the House and the debate on the movement of the Indian troops under ordinary circumstances; but the circumstances under which his Motion appeared on the Paper that evening were not of an ordinary character. Originally, he introduced a Bill upon the subject, and the fact of his Motion appearing on the Paper that evening was the result of the proceedings which took place in connection with that Bill. He moved the second reading of that Bill about a quarter-of-an-hour after midnight, and the Government deliberately promoted a "count-out." ["Oh, oh!"] The Government, he repeated, deliberately promoted a "count-out"——

Mr. SPEAKER: The hon. Member is stating the course which he proposes to take with regard to his Motion; and it is quite out of Order on his part to discuss the conduct of the Government on a late occasion, with regard to a Bill not now before the House.

Mr. PARNELL said, that he wished to explain the reasons of the course which he intended to take.

Mr. SPEAKER: The hon. Member is entitled to explain; but is not entitled to call in question the proceedings of the Government on a late occasion.

Mr. PARNELL, resuming, said, that he merely wished to explain his reasons for pursuing the course he had pursued, and which he was about to pursue. As a result of the "count-out," he was compelled to bring the matter forward in the form of a Motion. It did not relate to the subject-matter of the Bill, but was rather a consequence of the proceedings which took place in connection with the Bill, and of some matters that happened subsequently. He feared that he should not be able, under ordinary circumstances, to bring forward his Motion with any certainty in the event of his postponing it now. If he endeavoured to bring it on again, there might be another "count-out," and, consequently, he might be precluded from submitting the very important question involved in his Motion to the decision of the House; and, unless the House decided on that question that Session, an opportunity for coming to a decision would have disappeared, because the lands would all have been sold, and the same opportunity would not be available next Session. He, therefore, felt himself in a position of very considerable responsibility in reference to the question. On the one side, he did not wish to prejudice the fate of his Motion by setting the House against him; whilst, on the other hand, he felt it his duty to use every means and all diligence to obtain the opinion of the House on the subject as soon as possible, because mischief was being done every day. What he should propose was this—if the Government would undertake to keep a House for him next Tuesday, and to use their influence with their Supporters to prevent any Notices of Opposition being given to his Motion, so as to prevent it from being brought under the operation of the Half-past 12 o'clock Rule, then he should be happy to put his Motion down for next Tuesday. Otherwise he should, however reluctantly, feel it his duty to move his Resolution at whatever time it might be reached.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I can only say that I will do everything in my power to keep a House; but, of course, I cannot promise that my efforts will be successful.

MR. PARNELL: Sir, the Chancellor of the Exchequer has promised to do everything in his power to keep a House. That is perfectly satisfactory, and I shall not proceed with the Motion.

Motion accordingly postponed until *Thursday* next.

MR. O'DONNELL intimated his readiness to postpone the Motion of which he had given Notice, relative to the riots and bloodshed attending the enforcement of the collection of the new licence tax at Surat.

ORDERS OF THE DAY.

THE MILITARY FORCES OF THE CROWN·

ADJOURNED DEBATE. [SECOND NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [20th May],

"That, by the Constitution of this Realm, no Forces may be raised or kept by the Crown in time of peace, without the consent of Parliament, within any part of the Dominions of the Crown, excepting only such Forces as may be actually serving within Her Majesty's Indian Possessions."—(*The Marquess of Hartington.*)

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, being of opinion that the constitutional control of Parliament over the raising and employment of the Military Forces of the Crown is fully secured by the provisions of the Law, and by the undoubted power of this House to grant or refuse Supplies, considers it to be unnecessary and inexpedient to affirm any Resolution tending to weaken the hands of Her Majesty's Government in the present state of Foreign affairs,"—(*Sir Michael Hicks-Beach,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. FAWCETT, in reference to the debate of the previous night, said, there was no single point on which Ministers and their Supporters laid so much stress as that the act which the Leaders of the Opposition declared to be unconstitutional should not have been challenged by a direct Vote in the other House of Parliament. No one could feel more strongly than he did on that point, and he thanked the noble Lord the Leader of the Opposition in the House of Commons for his prompt determination to bring the conduct of the Government, in reference to the removal of the Indian troops, to a decision on the part of that House. With regard to what had been done by the Leader of the Opposition in "another place," Members of the House of Commons had no control over that. For his own part, he most heartily endorsed what was said by the Prime Minister in "another place," when he said that bold phrases should always be met by corresponding acts; because, no matter what Party might be in power, that had always been the policy he himself (Mr. Fawcett) had endeavoured to pursue. Now, there was no taunt which the Treasury Bench seemed to think so effectual as to remind the front Opposition Bench of what the latter did when they were in power with regard to the Royal Warrant abolishing Purchase in the Army. But he (Mr. Fawcett) would remind the House that some of those who were now on the Opposition benches below the Gangway protested again and again against that Warrant. They appealed again and again to Mr. Disraeli —the then Leader of the Opposition—to give them an opportunity to show their objections to the course which the Government then adopted. Mr. Disraeli described that act as a "shameful conspiracy against the liberties of Parliament;" but he cared so little for those liberties of Parliament when the question of the Prerogative of the Crown was at stake, that he had not the courage to challenge the proceeding he denounced, and his "bold phrases" only ended in empty talk. He (Mr. Fawcett) knew that the impression prevailed that the question at issue involved so many legal technicalities and Constitutional questions, that no one but a Constitutional lawyer ought to presume to take part in the debate. He, however, did not accept that view. He desired to take it out of that trough of technicalities, so that he might discuss the subject in its broad political aspect, and he thought he should be able to show that by what the Government had done, a grave political issue was raised, upon which the English people generally were competent to express an opinion. It was perfectly idle, he maintained, for the Secretary of State for the Colonies and the Under Secretary of State for India to say that the act of the Government amounted to nothing more than the sending a single Madras regiment to Singapore, or allowing a few Indian troops to contend against a semi-barbarian Chief in Abyssinia. Showers of praise had been poured upon the Government by their Supporters, because of what they regarded, and what had been described, as "a magnificent display of new policy."

[*Cheers from the Ministerial Benches.*] Yes, that sentiment was cheered, and he was going to say other things which hon. Members opposite would also cheer. They had said that, after the movement of those Indian troops, Europe would see England in a different position. [*Cheers.*] Yes, that also was cheered, and hon. Members opposite would likewise cheer this—they said that Russia and every other European Power would see by that act that England did not rely simply on that military strength which was defined by the Mutiny Act; but that, in consequence of it, they would be made aware that they had to deal with a country who could draw inexhaustible supplies from an unlimited Indian Army. [*Cheers.*] This also would be cheered — they said that, whereas England formerly had a small Army, now she had a large Army, and was presented in a different aspect before admiring and terrified Europe. Well, all that sort of thing could not be proclaimed on a thousand platforms, and hon. Members opposite be permitted to come down to that House and, influenced by the exigencies of debate, attempt to minimize the act, of which they spoke in terms of such admiration, by saying that it was nothing more than had been done before; or, as he (Mr. Fawcett) had before observed, that it was the same as sending a Madras regiment to Singapore or a certain number of troops to Abyssinia. The question which the House had to consider was a simple one. In the first place, he, and those with whom he acted, maintained that no emergency existed in politics to justify the Government in pursuing a policy of secrecy and concealment towards the English Parliament; and, in the second place, they contended that even if such an emergency had occurred, the course which the Government had adoped was not that which ought to have been pursued. What, he would ask, was the evidence of emergency? The journals which were the most thorough-going in their support of the Ministry had over and over again declared that there was not the slightest justification for the secrecy which had been observed. The excuse of the right hon. Gentleman the Chancellor of the Exchequer was, that if the Government had taken Parliament into their confidence, difficulties would have been placed in the way of transport;

but a Member of the House, who was practically acquainted with the shipping trade, had stated that if the Government had only announced frankly what they were about to do, they would have obtained the transport ships at a much less cost than they actually had to pay, and that would be conclusively proved, he was informed, when the Supplementary Estimates were laid upon the Table. But, even admitting that they had to pay £3 or £4 a-ton more for transports, were the resources of England, he would ask, so poor, that in order to save that paltry sum the Constitutional usages of the country were to be, to say the least of it, greatly strained? But the defence of the policy of secrecy by the Secretary of State for the Colonies and the Under Secretary of State for India, if not more substantial than the plea of the Chancellor of the Exchequer, involved considerations which suggested a more material issue. Their justification was, in effect, that if the Government had come down to Parliament and made known their intentions, they would have been hampered by Parliament, and that they were not certain of obtaining its approval. But the Government could not escape this dilemma — they were either certain that they could obtain the approval of Parliament for the employment of Indian troops, or they were not. If they were, the contention of the noble Leader of the Opposition—that what they might have done with the permission of Parliament as a military demonstration, would have been greatly strengthened, was irresistible. If they were not certain of obtaining the approval of Parliament, what was the position in which they placed the House when they set it at defiance. They set it at defiance, and prevented Parliament from discussing a question and expressing an opinion upon a subject on which they admitted there was some doubt. Nothing, to his mind, could be more fatal to the Privileges of that Assembly. Now, what had been the conduct of the Chancellor of the Exchequer? During the Easter Recess he (Mr. Fawcett) carefully abstained from saying a word in public on the subject. He thought it was quite possible the Chancellor of the Exchequer might have come down to the House, when it re-assembled, and given convincing proof that a case of emergency existed. The right hon. Gentleman, however, did not utter a single syllable to that effect. He did not tender any apology, much less show any justification for the extraordinary course the Government had pursued. On the contrary, he treated the whole matter in the lightest possible manner, and as if they were dealing with the most indifferent question; and he coolly informed the House that the Government did not deem it necessary, nor, in his opinion, was it customary, that they should on such a subject communicate their decision to Parliament. Could there be any language employed more calculated to show that at that time the Chancellor of the Exchequer did not suppose that the Government were justified in what they had done on the plea of emergency? But admitting, for the sake of argument, that emergency did really exist, what was the course which the Government ought to have adopted? Without an hour's delay, they ought to have come down to the House, and said—"On our own responsibility, but in face of what we considered an emergency, we have acted, we know, illegally. We have illegally spent the money of India, and we ask you to pass at once a short Act which will give absolute security to the people of that country that any money which has been so expended shall be repaid." That was what might have been done, but what had not been done. Instead of that, the Chancellor of the Exchequer said that a Supplementary Estimate would be introduced; but was there ever such a shadow of Constitutional control presented for the acceptance of the House of Commons? Suppose they arrived at the conclusion that the expenditure incurred was useless and mischievous, in what position would they be placed? Then, when was the Indian Government to be re-imbursed the cost of this Expedition? No statement had been made as to when the Supplementary Estimate would be produced; if a Dissolution occurred, it might not be produced for months and months. But there was another matter in connection with the financial aspect of the question to which he desired to refer. He should like to know, moreover, whether, before spending the money, Her Majesty's Government had obtained the consent of the Council of the Secretary of State for India? because, if they had not, they had violated an essential principle of the financial administration of India. But it was not merely with financial considerations that the House had to deal. No Indian troops could be moved to Europe without raising political questions of the greatest importance connected with England and India. The measure, therefore, was one on which the people of India and England had a right to be consulted. He was not, however, going to discuss prematurely the policy of employing Indian troops in Europe. It was not necessary to do so at present. If the course which the Government had taken was to continue, he did not see what possible good could result from hon. Members expending their time and their energies in simply going through the barren performance of registering the uncontrolled decrees of an uncontrollable Government. Some hon. Members had attempted to minimize the importance of the subject by saying that the Indian contingent numbered only 7,000 men; but the question really was, whether Her Majesty's Government were to be allowed to draw to an unlimited extent upon the military resources of India for a European war? There were hundreds of thousands of English citizens who objected to the employment of Indian troops in Europe, and who, whenever they had an opportunity of expressing their opinions on the subject, would show that they were not, as the Colonial Secretary had termed them, an "obscure section" of the English public. They objected to that employment on principle, and they felt that if England entered into a war, it would be a mean and ungenerous thing to throw the sacrifice of life and blood which that war would entail upon people who were not responsible for its being waged. Those to whom he referred felt that in the past England had been strong enough in her own resources to maintain and defend her position and reputation in Europe, and that what had been done before might be done again by the valour of British soldiers. Then, had Her Majesty's Government thought of the sequel, looked at from an Indian point of view? The campaign would end victoriously, and the Indian troops, flushed with victory, and proud of having fought side by side with English soldiers on equal terms—they might even have been complimented by the British nation, and thanked by that House—having done this, they would return to India to find themselves placed under a badge of servitude and denied the privilege of having officers of their own race and creed to lead them. Would not that spread far and wide over India a sense of injustice dangerous to our rule? Once more, take the military expenditure of India and the taxation which it necessitated. The House had already been told, and, no doubt, would be told again, boastingly, that the policy of the Government would be supported by a large majority of hon. Members; but he wished to take this opportunity of giving Notice that on the Indian Budget he would move a Resolution which would be something in the following terms:—

> "That, it having been decided that the Army of India is so large that an indefinite number of Indian troops can be spared to aid England in a European contest, this House is of opinion that the Indian military expenditure is excessive; that India has to maintain more troops than is necessary for her own defence; that the expenditure, consequently, ought to be reduced, and various taxes repealed which now prove burdensome to the Indian people."

He intended to press that Resolution to a division. [*Ministerial cheers.*] He did not intend to shirk a division, and he should speak upon the Motion in distinct words which, he thought, would be understood in India, unless, under the gagging Press Law recently introduced, they were charged with sedition and suppressed. He was not attempting to enter into Constitutional Law, nor did he intend to say much about Prerogative. He was not going to define strictly the limits of Prerogative; but every tyro knew that there were Prerogatives of the Crown which, though they legally existed, could not for a moment be used, and which were only allowed to continue, because no Minister was rash or unwise enough to disturb the long repose wherein they had slumbered. Hitherto, the people of England had believed that no Minister would be rash or reckless enough to disturb that principle, which was regarded as one of our most cherished traditions, that Parliament should keep a direct control over the strength of the standing Army. That control had now been destroyed, and the voting of a certain number of men in the Mutiny Bill would henceforth become an idle farce, because an hour after it was passed, the Government could add indefinitely to the strength of the English

Army in Europe, and indirectly could more than double the strength of the standing Army employed in England. The essence of the Mutiny Bill had been destroyed, and it would be an idle farce to waste a single moment next Session in discussing it. He believed that, a month ago, the great majority of the English people had supposed that there was no more chance of the Prerogative of the Crown being used to destroy the control of Parliament over the standing Army than there was of its being used to veto a Bill which had been passed by a vast majority in both Houses of Parliament. The Government maintained that they could exercise this Prerogative legally. He believed it was an illegal act; but, even if it were a legal act, it must raise a grave question, on which he would await with confidence the decision of the country. He and his Friends would put it to the country, for they would not let the subject drop. They knew they could not defeat the Government now, but they were protesting against what the Government had done. They would continue to protest against it, on every opportunity, to the people of England, and whenever the opportunity came—and he, for one, said the sooner the better—they would put to the English people this broad and intelligible question —"Is it your wish that the control which Parliament has exercised in the past over the strength of the English Army shall be continued, or do you desire that the control which your forefathers struggled for should, by the exercise of a dominant Prerogative, be virtually taken away from the House of Commons?"

THE ATTORNEY GENERAL (Sir JOHN HOLKER) said, that the hon. Member for Hackney (Mr. Fawcett), who had just concluded what was a very eloquent speech, had complained somewhat bitterly of the narrow and technical "trough" to which that question was confined. Perhaps the hon. Gentleman did right in making that complaint; but, if so, he (the Attorney General) thought the House would agree with him that the complaint ought to have been directed against the noble Lord the Member for the Radnor Boroughs (the Marquess of Hartington), and not against Her Majesty's Government; because he did not know who was to blame for the question being confined in a narrow and technical "trough," except the noble Lord, who was the originator of the Motion. It could not be objected, however, that the hon. Member for Hackney had confined his remarks to the narrow and technical "trough," for he had diverged from it, and embarked upon the discussion of a variety of questions, which certainly had nothing in the world to do with the issue before the House, but which the Government would be prepared to answer when the proper time arose. For his own part, he (the Attorney General) did not say that he had any particular objection to the hon. Gentleman taking that course; only he thought it would be more convenient if the House were to enter into the consideration which the hon. Gentleman had raised, that the House should have had some Notice of these questions. He entertained no doubt that Her Majesty's Ministers would be quite willing to embark on the question as to whether there was any emergency which justified the removal of the Indian troops from India to Malta. He had no doubt that, on a proper occasion, the Government would be quite willing to enter into the question as to whether they had pursued the course which they ought to have pursued; and, also, into the question whether the expenditure out of the Revenues of India could be justified or not. They would likewise, he daresay, enter upon the question, when they were asked to do so, whether the employment of Indian troops in Europe was an advantageous and a politic proceeding. All these points were interesting in themselves, but they had nothing to do with the Motion of the noble Lord the Leader of the Opposition. That Motion raised a grave Constitutional question, and however reluctant the House might be to deal with a Constitutional question, yet as the question had been raised, it was incumbent on those against whom the Motion was directed to deal with it as far as they were able. The proposition of the noble Lord was a very simple one; it was a very abstract one; and it had a very academical and forensic air about it. It was more forensic than it was academical. He could trace in it the hand—or hands, he was going to say—of a learned Constitutional lawyer. But that phrase would hardly suit his purpose, because he did not think that this was a Constitutional Motion. But he could trace the hand in it of a legal Parliamentary practitioner. The Motion was very skilfully and astutely framed. It was the Motion of the noble Lord; but its language, and the ideas which that language conveyed, were the language and ideas of the legal advisers of the noble Lord. It was framed like a legal document. It recited the substance of the Bill of Rights and of the Mutiny Act, and the only objection one had to it was that it did not recite correctly. Those who had framed the Motion said that it recited the legal effect of those documents. Anybody reading the Motion, who was not particularly conversant with the Bill of Rights or with the Mutiny Act, would suppose that there was an exact statement in it of the substance of the Bill of Rights and the substance of the Mutiny Act; but, when he came to consult the Bill of Rights and the Mutiny Act, he would find that he was very much mistaken. Lawyers, in the good old times of subtle astute pleading, when they framed an indictment against a man, for example, who had committed an offence in Timbuctoo, and they wanted to give jurisdiction here, said, the offence was committed in Timbuctoo, to wit, in the city of Westminster, in the county of Middlesex; and he wondered his hon. and learned Friend who assisted the noble Lord in the framing of the Motion did not state that it was against the Constitution, and so on, for the Crown, in a time of peace, and without the consent of Parliament, within any part of the United Kingdom—that was to say, within any portion of the Dominions of the Crown—to do so-and-so; because the whole question which arose upon this part of the case rested upon this—whether or not the Bill of Rights and the Mutiny Act applied not only to the United Kingdom, but to the other Dominions of the Crown? The Motion of the noble Lord contained an abstract proposition, and he (the Attorney General) supposed it was intended to cover the particular case of the removal of Indian troops from India to Malta, and to assert that, in some way or other, that proceeding was illegal. But he thought the House, upon the consideration of the question, would come to the conclusion that the design of the Motion had not been accomplished, and could not be accomplished, because the proposition which the Motion enunciated was altogether and radically unsound. If that was the conclusion at which the House arrived, he did not suppose anybody would be able to go into the Lobby to support the noble Lord's proposition. But as he had said the proposition was unsound, it was incumbent on him to make some effort, even at the expense of tiring the House by a legal discussion, to demonstrate the truth and justice of that which he had advanced. In considering the proposition which was contained in this Motion, it was important to bear in mind what were the Prerogatives of the Crown which were now the subject of discussion before the Bill of Rights and the Mutiny Act passed. Now, before the Bill of Rights passed into law, he did not think any hon. Gentleman would be willing to dispute that it was the Prerogative of the Crown to declare war and to make peace, or would dispute that a recital which was contained in an Act of Parliament still on the Statute Book was perfectly true—namely, that—

> "Within the realms and dominions of the Crown the sole and supreme government and command of the militia, and of all forces by sea and by land, and of all forts and places of strength, is, and by the laws of England was, the undoubted right of the Crown, and both or either House of Parliament cannot and ought not to pretend to the same."

He did not think anyone would deny that, at all events, before the Bill of Rights passed into law, it was the Prerogative of the Crown not only to command and control the Forces of the Realm, but also, when necessary, to raise and maintain those Forces. Before that Bill passed into law, the Crown used to gather together the Forces necessary to repel invasion or to wage war against other countries. It had also within its Prerogative the enrolment of the Militia Force, and the appointment of the Lord Lieutenant, who in each county was the Constitutional Commander of that Force, and considerable Regular Forces had been raised and kept up by the Crown before the Bill of Rights became law. [Mr. GLADSTONE: Hear, hear!] The right hon. Gentleman the Member for Greenwich cheered that sentiment and that view of the case, and, from the tone of the right hon. Gentleman, he (the Attorney General) was inclined to believe that his cheer was somewhat sarcastic. The right hon. Gentleman would of course be able in his turn to explain his own view of the matter, and he durst say the right hon. Gentleman's explanation would entirely overwhelm him; but, at all events, he had a right to entertain his own view. It had been said, and probably would be said again, that the Bill of Rights contained not a new enactment with reference to the law, but simply a declaration of what the law really was. Well, that might be so, but he himself did not think it was. He did not know that that was very important, but he wanted the House to have a just notion of the question they were dealing with. It might be important; but he did not think so, for two reasons, which he would give—first, because if it was the common law which was declared by the Bill of Rights, he should not have expected in the reign of Charles the First, when the Bill of Rights was presented, when there was such a fervour with regard to outraged liberties, that the only complaint with respect to the Army assembled at that time would have been, as it was, that it was dispersed into the various counties in the Kingdom and quartered on the inhabitants of those counties, much to the vexation and grievance of the inhabitants thereof. That was the complaint which was made in the Petition for the Bill of Rights, and there was not a syllable there that it was not the Prerogative of the Crown to maintain these troops. He found a passage on the subject in a work of one of the most eminent and celebrated Constitutional lawyers—he meant Mr. Hallam. He said, with reference to this matter—

> "The most questionable proposition, though at the same time one of the most important, was that which asserts the illegality of a standing army in times of peace unless with the consent of Parliament. It seems difficult to perceive in what respect this infringed on any man's private right or by what reason (for no statute could be pretended) the King was debarred from enlisting soldiers by voluntary contract for the defence of his dominions, especially after an express law had declared the sole power over the militia, without giving any definition of that word, to reside in the Crown."—[*Constitutional History*, c. xv.]

Those who had ironically cheered him when he said that the declaration of the Bill of Rights was not a correct declaration of the common law would perhaps ironically cheer Mr. Hallam's enunciation of the same proposition. But, however that might be, they must take the Bill of Rights as it stood, and he was as willing as any man to approve that celebrated Statute. He did not care, however, whether the common law was stated in the Bill of Rights or not. The question for the House to consider was, what was the limit to the Crown's Prerogative which was imposed by the Bill of Rights? He knew that some hon. Gentlemen had, so to speak, thrown overboard the Bill of Rights, finding, on inspection, that it did not suit them. They were in love with it when the noble Lord's Resolution was framed, but they had become disillusionized; and they also found that the Mutiny Act did not support them, nor suit the spirit of the proposition that had been laid down. But as the noble Lord's Resolution went forth to the country professedly based on those notable Acts, it was incumbent on him to consider that question. Now, the question was, what limit on the Crown's Prerogative with respect to the military Forces was imposed by the Bill of Rights? and he would presently come to the limit proposed by the Mutiny Act. The Bill of Rights said this—that the raising and keeping of a standing Army within the Kingdom in time of peace, unless it were with the consent of Parliament, was against law. That enactment was quite plain and clear. It was passed at a time when the Kingdom consisted of the Kingdom of England only. It was confined, he asserted, in its operation to the Kingdom. That was the natural meaning of the word that was used, and there was nothing in the circumstances of the case which should induce anybody to strain that natural meaning, to make it read otherwise. Moreover, the mischief which that Act of Parliament was intended to meet and grapple with was met and grappled with by the terms used in the Statute itself, for, undoubtedly, one of the great objects which the Legislature had in view when the Bill of Rights came before it was to prevent the Houses of Parliament and the Members who had their homes in this country from being overawed and coerced by the presence of a standing Army. Such a consideration, however, had no reference to the Dominions of the Crown beyond the Kingdom. Therefore it was that that provision was inserted in the Act, and that it was confined to the Kingdom. If anybody had any doubt as to that, let him consider that at the time when that Statute was passed there was a standing Army in a Dependency of the Crown—namely, in Ireland—which was not touched by the Bill of Rights and was not limited in any way, and that there were also Forces of the Crown in other Dependencies and Colonies of the Kingdom with which the Bill of Rights did not in the slightest degree interfere. There was a considerable standing Army in Ireland, and it was not until many years after the Bill was passed into law, that any Act was passed which interfered with it. But, if they wanted any further confirmation of his proposition that the Bill of Rights was confined to the Kingdom, they would find it in the fact that after the Kingdom became enlarged, after the Union with Scotland and with Ireland, after the constitution of one Parliament for the United Kingdom of Great Britain and Ireland, they had in the Mutiny Act, passed year by year, this declaration in the shape of a recital of what the law was—namely, that for the Crown to maintain an Army in the United Kingdom of Great Britain and Ireland in time of peace without the consent of Parliament was against the law. That they had before them in the Bill of Rights. Therefore, they had before them the Bill of Rights as interpreted by the Legislature in every succeeding year since the formation of the Constitution of Great Britain and Ireland; they had the Mutiny Bill, passed annually by the most eminent statesmen and lawyers whom this country could produce, and stating, year by year, that that law was applicable only to the state of things in the United Kingdom of Great Britain and Ireland. Then, what more was to be required? If the Bill of Rights and the Mutiny Act applied merely to the United Kingdom of Great Britain and Ireland, and they were intended to remedy the evils which existed and which were apprehended—evils which had reference simply to the state of things in Great Britain and Ireland—what became of the contention that the proposition of the noble Lord was one which the House could accept? If what he had pointed out were correctly pointed out—if his enunciation of the law were right—the proposition of the noble Lord must necessarily fall to the ground, because; so far as it extended to the Dominions of the Crown outside of the Kingdom, it was utterly unsupported and fallacious. Let him not be misunderstood. While endeavouring to explain what the Prerogative of the Crown was, he would not be supposed to deny that Parliament had anything to do with the Forces maintained by the Crown—no one on that side—certainly no one on the Government benches—had ever contended for anything of that kind. The Chancellor of the Exchequer and the Secretary for the Colonies, whenever they had spoken on the question, had always confessed that the power Parliament possessed over the Forces which might be raised by Her Majesty was a power of very great importance, and one which, in fact, gave to Parliament almost a complete check and control; for no one denied that if Forces were raised—he cared not where—in the Dominions of the Crown, and if they had to be paid out of the Revenues of this Kingdom, Parliament had a complete check, because it might refuse the requisite Supplies. The Chancellor of the Exchequer had from beginning to end said—"We contend that we have a right to move these Forces from India to Malta; but we do not contend that, after they have arrived at Malta, and when they have to be maintained there at the expense of the Revenues of this country, it will be in the power of the Crown or of Ministers to keep and maintain them there. But what we say is, that if they are to remain there at the cost of this country, we must come to Parliament with the fullest possible explanations, and ask for the requisite grant of money for them." He had no doubt that those who knew more about the policy of that measure than he could do would have no difficulty in satisfying the House at the proper time that there was an urgent necessity for ordering those troops to be brought from India to Malta without a previous communication to Parliament. That, however, was not the question they were now called on to discuss, but they had before them an abstract proposition. Allusion had been made in more than one speech to something that took place in the last century. In their laudable endeavours to assist the Government in carrying out the wise and prudent policy upon which they had determined, the noble Lord and those who followed him in supporting his Resolution, had gone far and wide to see if they could not discover precedents which would justify their proposition; and, amongst the precedents which they had pointed out to justify to some extent that for which they contended, was a discussion which took place in the year 1775, when certain Hanoverian troops were sent to Gibraltar and Minorca to garrison the fortifications of those places. Port Mahon was one of the places they were sent to. Now, in the discussion of that subject, if they might rely on the reports—but he did not think it would be very wise to rely implicitly on the reports of the debates in that House at that time—a good many, as he thought, wild and fantastical notions were expressed with reference to the Bill of Rights on the one side and the other. But the real discussion turned upon this—here were foreign troops, owing allegiance to a foreign Sovereign—because it was not the King of England, but the Elector of Hanover, who had the control of these troops—here were foreign troops, and a foreign Sovereign importing these foreign troops into fortresses of this Kingdom. Objection was made to this proceeding, and, in his humble opinion, it was rightly made on several grounds. In the first place, if they took, not the Bill of Rights, but the Act of Settlement, that Act provided, in short, that no foreigner, no person who was not a native-born subject of the Crown, should be entrusted with any military or civil post; and it was perfectly clear that, if those troops were sent to Gibraltar and Port Mahon, those in command of them would be entrusted with military offices of the greatest possible importance, and that the entrusting them with these offices was an infringement of the Act of Settlement, though in no shape or respect an infringement of the Bill of Rights. Again, those troops owed no allegiance to the Sovereign of England; the allegiance which they owed was to the Elector of Hanover. Further, they were sent to Gibraltar and Minorca while under no Mutiny Law which emanated from the Legislature of this country. At all events, so far as this country was concerned, they were under no Mutiny Law at all, and they might, if they had so chosen—though, as matter of fact, we knew their conduct was irreproachable—have surrendered the fortress of Gibraltar to the enemy, and not a single man of them could have been tried under military law, or any other law of this country. For these reasons, therefore, was it not abundantly clear that, without the slightest reference to the Bill of Rights, or the Mutiny Act, or any other Act but the Act of Settlement, it was wise for those eminent statesmen who objected to the proceedings in 1775 to make their objections, and that those objections ought to have been supported? He had said that there was a Bill of Indemnity introduced, and that Bill was carried with one single exception, although it was not ultimately accepted. He did not wish to examine minutely into what was done, or to say that because it was done in Parliament, therefore it was right—for that was not his opinion upon all occasions, and especially so in the circumstances of the case he was alluding to. But he did say this—that, as far as he could form an opinion on the subject, those who were at the helm of affairs would have done well to have accepted, or introduced themselves, a Bill of Indemnity to cure the irregularity. But what, in the name of fortune, had that incident of 1775 to do with the question which they were discussing? The Commanders of these Indian troops were not aliens who would be put in positions of trust under the Act of Settlement; they were not persons who were not natural-born subjects of Her Majesty. Indian troops were not foreigners; for though their colour was slightly deeper, he supposed no one in that House, be he ever so great a Constitutional lawyer, would deny that the Indian troops were subjects of Her Majesty. What in the world, then, had they to do with the incident of 1775? For what reason was it lugged into this discussion, except that hon. Gentlemen who wanted to support the proposition of the noble Marquess found that, unless they lugged something into the discussion beyond the Bill of Rights and the Mutiny Act, with which they started, they could not possibly make anything of it? It seemed to him that no great light was thrown on the matter by discussing what was done in 1775, or that the House would derive any material advantage in considering what was done in 1794, when, he believed, certain troops—Austrians or Hessians, were landed in the Isle of Wight. Undoubtedly, certain objections also were taken to that step; but it was settled that there was a case of great emergency, and what possible analogy they could draw, on one side or the other, from the fact of those troops being introduced into the island, or what possible light they could get from the discussions when the matter was brought upon the carpet, he was, for his part, unable to find out. It seemed to him that they would derive much greater benefit from dealing with this question upon the principle which was involved, and from considering the consequences which would follow, supposing the proposition of the noble Lord was a right one. With respect to the principle, he (the Attorney General) had shown that the Bill of Rights did not extend beyond the Kingdom, that the English Mutiny Act did not extend beyond the United Kingdom, and that the reasons for these enactments were reasons confined within the area of the Kingdom in one case, and of the United Kingdom in the other. Now, he would examine for a moment the consequences which might ensue if the proposition of the noble Lord were accepted. If the proposition of the noble Lord were accepted, what would happen to the inhabitants of the Colonies and Dependencies of the Crown, for had they not been committing a most gross and flagrant infringement of the Bill of Rights and of the Constitutional law of this country? [Sir HENRY JAMES dissented.] His hon. and learned Friend the Member for Taunton shook his head, and might state presently what he had to say to the contrary; but, having advanced his proposition, he (the Attorney General) would try now to establish it. In the Colonies and Dependencies of this country there were Forces of many descriptions, constituting the Militia and Volunteers, and in several there were Regular Standing Forces. [The Marquess of HARTINGTON: How many?] "How many?" said the noble Lord. He did not care if there were only a dozen. If they said they would not introduce more than seven regiments, what had the number to do with it? Hon. Gentlemen opposite said that when seven regiments were brought, 70 regiments might also be brought, and, of course, it was the principle that was important in both cases. He said that if there were in the Colonies and Dependencies of the Crown—Victoria, for example—Regular Forces established at all, what did it matter whether they were 1, 100, or 200—a troop of Cavalry, a regiment of Infantry, or a battery or two of Artillery? They were there, and were raised and maintained not out of the Revenues of this country; they were maintained in the Dominions of Her Majesty, they were under the control and command of Her Majesty, and were raised on Her Majesty's behalf. Would hon. Gentlemen deny that it was so? It might be that there were not many of these troops besides the Militia; but there were great bodies of Militia, and he would not pause to dwell on that point, because it might be fairly said, by way of distinction, that the Militia did not come under the category of a standing Army. He should have thought that when they were called out they did; but it was no use labouring that point, because it was possible something might be said against it, and it was no use labouring a point of that kind when he had so many against which nothing could be said. Could anyone deny that if the Government of the Dominion of Canada liked, it could raise a standing Army? [Mr. GLADSTONE: Hear, hear!] He was glad the right hon. Member for Greenwich said "Hear, hear!" and that the hon. and learned Member for Oxford (Sir William Harcourt) endorsed it by a pleasing smile. Under the British North America Act of 1857, the Dominion Government had power to raise a force of Militia—or, in the words of the Act, "any Force for the Military or Naval Service." Now, for anything they knew, next year, or the year after, or in a few years, the Legislature of the Dominion might think proper to raise Forces for the protection of the Dominion. He did not think anybody would object; at all events, not hon. Gentlemen on the other side, because many of them in 1862 maintained that, under the circumstances of the time, it was desirable that the Colonies should be able to raise Forces for their own defence. Well, then, supposing they took that step, would anybody contend that those Forces, which would not be within the

Realm, but which would be raised on behalf of Her Majesty, would be under the control of Parliament, or that they would be improperly raised without the consent of the Imperial Parliament? He knew what would be urged against this by his hon. Friends on the other side. They would say that if the Dominion raised this Army, it would be raised with the consent of Parliament. Hon. Members might say that it would be raised under an Act of the Dominion authorized by an Act of the Imperial Parliament. Hon. Members opposite might say so, and if so, let them have the benefit of it; but if they did say so, he should like to know under what authority the Native troops in India were raised? Were they raised simply by a law of the Governor General in Council in India? No; they were raised under a law of the Governor General in Council in India, which was sanctioned by, and which was enacted under, the authority of the Imperial Legislature. Therefore, the Force which might be raised in Canada and the Force in India would stand exactly upon the same footing; and if it were said of one of those Forces that they could not be moved without the consent of the Imperial Parliament, exactly the same thing must be said of the other also. But there was something further to indicate the extraordinary nature of the proposition advanced by hon. Members opposite. It was said that the Mutiny Act specified the number of the Forces that might be raised in Her Majesty's Dominions, and that they amounted, he thought, to some 135,000 men—he forgot the exact figures—exclusive of the Forces of Her Majesty that were serving in India. That was one of the expressions derived from the Mutiny Act which were so carefully inserted in the Motion of the noble Lord. Well, but those Forces of Her Majesty serving in India comprised not only the Native Indian troops, but the English regiments of the Line which happened to be in India, and which, happening to be in India, were not maintained out of the Revenues of this country, but out of those of India. So there would be this curious state of things—that if, for example, during war, an invasion of one of their Colonies was threatened—it might be an Australian Colony—and if, before war actually broke out, because some distinction appeared to be drawn between a state of peace and a state of war as it affected that question; and, therefore, for the sake of illustration, he would take a time of peace—and if the Colony, for the protection of themselves and of the Imperial interests, were desirous to have some assistance, and it was resolved to send to them some of the regiments of the Line which happened to be stationed in India, if the contention of hon. Members opposite were correct, it would, notwithstanding that the Colony was willing to pay for their maintenance, be an illegal act on the part of the Crown to send those regiments to them. And thus—for it was the conclusion to which they were driven—rather than Her Majesty should have the power of sending a few of the English regiments from India to the assistance of their Colonies in time of threatened invasion, though before the outbreak of war, hon. Members opposite would raise this wonderful Constitutional objection, and say—"No, you shall not send them," and would thus do their best to prevent that timely assistance being furnished. He thought that these consequences of the contention into which the noble Lord and those who followed him must necessarily be driven were of themselves almost sufficient to prove the absurdity of the proposition which they advanced. He knew that the hon. and learned Member for Oxford had disregarded consequences altogether. The hon. and learned Gentleman had made a speech about "the great Constitutional principle," whatever that might mean. The hon. and learned Gentlemen began by making a speech in support of this Resolution, which was founded upon the Bill of Rights, but very shortly he found that the Bill of Rights did not suit his purpose. The hon. and learned Gentleman had taken up the Bill of Rights as a battle-axe, but its handle broke in his hand; then he took up the truncheon of the Mutiny Act, and even that had slipped from his grasp, for he could make nothing of it; and then he bethought himself of "the great constitutional principle which underlies the whole state of our society," which somehow or another he sought to fish up in support of this Resolution. This last weapon, however, was like the masquerader's weapon—it consisted of nothing but an empty bladder tied at the end of a stick. Another point, however, had been raised, and a good deal had been made of it. It was the one which rested upon the Act for the Government of India, which was passed in 1858. He understood, in the course of the debate, that it was asserted there was something in that Act which rendered this movement of the Native Indian troops from India to Malta illegal. His position, however, was this—he contended that Her Majesty had the control and management of the Forces in India; that they were Her Forces; and that it was Her Prerogative, for the good of the Empire—and he did not suppose that Her Majesty would use them for any other purpose—to move those Forces from India, where they were, to Malta, or to anywhere else, leaving it to the Imperial Parliament, when they got there, subsequently to sanction the step which had been taken by voting the necessary Supplies. When this Act for the Government of India was rightly considered, it would be found that, instead of condemning his contention, it altogether blessed it. That Act was passed in 1858, and when it was before the Committee of that House, the right hon. Member for Greenwich—who, of course, was always particularly cautious lest the Prerogative of the Crown should be encroached upon—introduced a clause which was directed, to a certain extent, against the Prerogative of the Crown. That clause was as follows:—

> "That, except for repelling actual invasion, or under other sudden and urgent necessity, Her Majesty's Forces in the East Indies shall not be employed in any Military operation beyond the external frontier of Her Majesty's Indian Possessions without the consent of Parliament to the purposes thereof."—[3 *Hansard*, cli. 1067.]

The purport of that clause throughout was this—that, although it had been legal theretofore to employ Her Majesty's troops in India anywhere else, for the future those Forces should not be employed outside the limits of our Indian Empire without the consent of Parliament. Had that clause been passed into law, hon. Members opposite would have been fully justified in contending that it was illegal to move the Native Indian troops from India to Malta. The right hon. Member for Greenwich had introduced that clause with a speech which was very convincing, because the clause was carried by a considerable majority. He would not weary the House by referring in detail to what was said upon that occasion, but would content himself with saying that many of the then associates of the right hon. Gentleman—such as Lord Palmerston, Earl Granville, Lord John Russell, and the late Mr. Wilson—protested against that clause on the ground that it was an undue restriction and fetter which the right hon. Gentleman was placing upon the Prerogative of the Crown. Cogent arguments were urged against the proposal, but they did not convince the right hon. Gentleman, who persisted and carried his clause. But when its effect came to be better known, and when the Bill went up to the House of Lords, the House of Lords would not have the clause at any price. The objections which had been raised against it in that House were reiterated in the House of Lords, and the late Lord Derby, in order to get rid of it, introduced and carried the clause which now stood in the Act, and which ran as follows:—

> "Except for preventing or repelling actual invasion of Her Majesty's Indian Possessions, or under other sudden and urgent necessity, the Revenues of *India* shall not, without the consent of Parliament, be applicable to defray the expenses of any Military operations carried on beyond the external frontiers of such Possession by Her Majesty's Forces charged upon such Revenues."

["Hear, hear!"] He was delighted to find that hon. Members opposite appreciated so nicely the distinction between the two clauses. There was nothing in the clause which prevented Her Majesty from exercising Her Prerogative and bringing these troops from India to Malta—in fact, it was impliedly conceded that she might do so; but there was something in the clause, and properly so, to prevent the operation which might be carried on, not exclusively for the benefit of India, being saddled on the Indian Revenue. They were dealing with a nice, he might say a subtle, Constitutional question, and Her Majesty's Government were not going to muddle up two things so entirely distinct, and to say that because the clause prevented the expenses of removing the Native Indian Troops from India to Malta being saddled upon the Revenues of India, therefore Her Majesty had no power to move those troops to such places as She might think it expedient they should be sent to. No one had ever contended, so far as he was aware, that the expense of moving these troops should be saddled upon the Indian revenues. Boldly and candidly he asserted that that expense would have to come out of the Revenues of this country, and that Parliament would have to be asked for the necessary Supplies. Doubtless, difficulties might arise in apportioning the cost of the troops; but he was informed that the balance of the account between India and this country was generally in favour of this country, and, therefore, the only result of our defraying these charges would be that the balance in our favour would be reduced by a small amount. Precedents had been cited by hon. Members opposite, and he would not touch upon those precedents further than to say that there were numbers of instances in which the Native Indian troops had been moved, and had been stationed, not in foreign parts, but on the frontiers of the Territories of the Crown, and that in some cases in time of peace. The hon. and learned Member for Oxford had alluded to the case where an outbreak of the Maories in New Zealand had been apprehended and application had been made to the Home Government for some Indian troops to assist the Colonial Forces in putting it down. The then Government promised to send some of the Native Indian regiments to assist the inhabitants of the Colony to suppress the threatened outbreak. After the Government had promised that this should be done, however, it was said that they found there was an unconstitutional pitfall in which they might be plunged. The consequence was, they immediately revoked their order, but to this extent only—that, instead of Native troops, they sent to the assistance of the Colonists in New Zealand three or four English regiments of the Line which happened at the time to be stationed in India. What was the difference in a Constitutional point of view between these two courses for he could not see any. If it were unconstitutional to send Native troops to assist the Colonists in New Zealand, was it not unconstitutional to send troops of the Line? Were they not just as much "Forces serving within Her Majesty's Indian Possessions," paid by the Revenues of India, and not paid a single sixpence out of the Revenues of this country? That, he thought, disposed of the precedent which was sought to be set up. A good deal had been said about a course of the kind which had been taken by the Government, being taken in time of war. What in the world did it matter whether Her Majesty removed Her troops in time of war or of peace? ["Oh, oh!"] Why, it was the same thing, and for this reason—that wonderful idea of peace was derived from the Mutiny Act and the Bill of Rights. Because it was said, under those statutes, that certain things might not be done in the United Kingdom in time of peace, it was therefore contended that the same thing might not be done out of the United Kingdom. With regard to this last question, neither the Mutiny Act, the Bill of Rights, the Act for the Government of India, nor the wonderful Constitutional principles which had been pumped up by his hon. and learned Friend the Member for Oxford, would avail anything. If Her Majesty could move Her troops where She pleased in time of war, he could not see that any Constitutional principle was violated by Her moving them in time of peace. The Parliament in either case would be there to vote all the necessary Supplies alike for the cost of moving the troops and of maintaining them in the place or places to which they had been moved. But, supposing the interpretation to which he had referred—but could not admit—were true, would anyone say that Europe was in a state of perfect peace? It might be, and was, that the Continent was not in a state of war; but it might be likened to a beautiful Summer's day, when threatening clouds suddenly darkened the sky, and no drops of rain fell or thunder rolled or lightning flashed—a sudden change might occur which would very speedily develop and bring, almost immediately, rain, and lightning, and thunder where a few minutes before all had been peace and brightness. Let them look at the war that had been waged and had only just ceased; look at the plains of Europe glistening with a wilderness of bayonets; consider the blood which had been shed; look at the preparations for war heard of on all sides; and then ask themselves—was that a time of profound peace? He did not say it was war, but he did say that the Government—if any Government could do so constitutionally — was justified in resorting to every precaution against war. He should say no more. That was not exactly the time in which such a Motion as that of the noble Lord should be introduced. The people were earnestly waiting for the issue of the negotiations that were now going on; they were on the tip-toe of expectation; they were anxious to ascertain whether the firm and determined attitude which the Government had assumed would be productive of benefit, and would secure the interests of this country; and they were not particularly interested in this quibbling on Constitutional rights.

Mr. GLADSTONE: Mr. Speaker, my noble Friend, when he introduced the Motion before the House, stated that he intended to confine himself altogether to the Constitutional and legal question which it appeared to raise, and added that he would avoid a discussion on questions of policy. The Attorney General made the same promise; but the difference was that, while my noble Friend adhered to his promise with the utmost strictness till the conclusion of his speech, on the other hand, the Attorney General, who has given us a very valuable and useful exposition of his views upon the legal question, could not refrain in his peroration from adverting to the question of policy, and pronouncing a warm eulogium upon the proceedings of Her Majesty's Government. Well, Sir, I intend to follow, as far as I am able, the example of my noble Friend who kept to his promise, and not that of the Attorney General, who a little departed from his; but I must say one word upon the subject, because, among the many rather notable facts of the speech of the right hon. Gentleman the Colonial Secretary last night, which stated the case of the Government, one was his complaint that we had evaded or avoided any declaration of policy upon the general question. Well, I will not be led into a statement which will occupy even so much as two minutes; but I must say that that charge of the Colonial Secretary appears to me to be most unjust. Everyone of course, looks at these charges as they affect himself. I may, indeed, be liable to the accusation of having gone much beyond the ordinary duty and function of a Member in Opposition in suggesting a policy to the Government; but I own it appears to me that the contrary accusation, so far as it is levelled against me, is altogether absurd. I now tell Her Majesty's Government, that if they will only pursue European objects in concert with Europe, and not by a policy of isolation; if they will only allow Europe to determine upon what terms, and in what method, she will go into Congress; if they will only pursue diplomatic aims by diplomatic means, and refrain from warlike menaces until diplomatic means have failed and just cause for war has appeared—there is a policy, a policy opposed to theirs upon every point, and a policy which many, certainly on this side of the House, have been forward to recommend during all the recent stages of the present discussion. The only other object which remains is the most important of all, and I cannot abandon the hope that it is one in which we may be found at one with Her Majesty's Government. If so, it will be a great comfort, and a great reparation for all that has taken place at former periods—namely, that when once the influence of this country comes to be used in the Councils of Europe for the settlement of the East, it may be used for the purpose of consolidating, confirming, and extending, and not for the purpose of narrowing or impairing the liberties of the subject-races under Turkish rule. Another word I am compelled to say, because we had a gibe from the Attorney General, and a comment from my hon. Friend the Member for Hackney (Mr. Fawcett) of a very explicit character, which it is impossible to pass by in silence. It appears that we are not the parties authorized to object to what we think a violent extension of the Prerogative of the Crown, on account of what is called the Purchase Warrant. We were ready to defend that Warrant at the time when it was discussed, and it is inconvenient to revive these old controversies—[*Laughter*]—when they cannot be discussed. If hon. Gentlemen wished me to enter upon a discussion of this question, I should be prepared to go on with it; but as they offer me no encouragement, I will only say, and I challenge contradiction, that the Warrant was devised and passed for the purpose of putting a stop to a gross, habitual, and undoubted violation of the law by the highest authorities. Hon. Members will, perhaps, reflect and inquire a little about the Purchase Warrant, before they welcome a revival of that question. I am extremely sorry the Attorney General has left his place, because it will be my duty to object, as well as I can, to any fundamental propositions that he has laid down on this question as partly a legal and partly a Constitutional question as distinct from legal. It will be my duty to impugn the conduct, not of the Chancellor of the Exchequer in particular—even if I refer to his name, I mean to speak of him simply as the organ of the Government—it will be my duty to impugn the conduct of the Government in this matter distinctly upon Constitutional and legal grounds. We have had a convenient definition, produced from Mr. Hallam, of the word "unconstitutional." As applied to an act, we are told that the act must be novel, great, and must also have a tendency to the subversion of the law. In that sense of the word, I contend that there are two proceedings of the Government, quite independently of the legal aspect of the question and of the question of policy, which are strictly unconstitutional. Her Majesty's Government incurred a charge for those Indian troops at the very time they were proposing and carrying the financial measures of the year, without providing any Ways and Means for meeting that charge. Now, Sir, if there is one thing more than another that will come within the definition of Mr. Hallam, it is a proceeding of that kind. Nothing is more novel; few things can better deserve the title of great; and nothing goes more directly towards sapping the fundamental powers of this House, than such a proceeding as I have described. It is the undoubted and paramount duty of Her Majesty's Government, at the time they submit the financial measures of the year, to make known to Parliament the whole of the Charge which they expect will have to be met within the year, and to propose a provision of Ways and Means to meet the entire Charge. Now, Sir, I am not making a charge against the Chancellor of the Exchequer—which, I believe, has been made by some—that he did not explain to us the nature of the Government measure at the time of his Budget. That is a totally different matter. If the measure were objectionable upon other grounds, and if Her Majesty's Government thought the revelation of it at that particular moment inexpedient, they were perfectly justified in keeping it secret; but, though justified in keeping it secret, they were not on that account one whit the less bound to make pecuniary provision for that measure. ["No!"] Hon. Gentlemen say they are not. Then, do those hon. Gentleman deny it? because, if so, let them not deny it by what I may call these irresponsible expressions of dissent, but in speech. Let them tell me that they think the Finance Minister is justified in coming with a Budget to this House, detailing to the House what he believes to be the financial Expenditure of the year, calling upon the House to provide Ways and Means to meet that Expenditure, and at the same time keeping back items of expenditure which he believes will be incurred, but which he is not to state to the House of Commons. ["No, no!"] No!—you say he is not justified. Then, I entirely agree with you; and it will remain for the Chancellor of the Exchequer to explain how and why it was, or whether it was—for I shall be very glad to find that the accusation which I make is not founded in fact—it will be for him, I say, to explain whether it was; and, if so, how and why it was, that, knowing that a charge might be incurred during the year for the Indian Forces, he did not include in the Budget what he thought was a sufficient sum to meet the probable amount of that charge? What I am stating is not, I think, unreasonable—[The CHANCELLOR of the EXCHEQUER: Hear, hear!]—because my right hon. Friend has told us that the first decision of Her Majesty's Government was taken on the 27th of March, and that the Order was actually sent on the 4th of April. [The CHANCELLOR of the EXCHEQUER: The 12th. On the 4th the Budget was submitted.] Well, on the 12th, Her Majesty's Government were fully aware of this charge; and yet they proceeded with the Budget as they had framed it before they were aware of this charge, and invited the House of Commons to accede to it. We did accede to it, and we voted different taxes on the invitation of the Chancellor of the Exchequer, and that in the full belief—which we were justified in entertaining—that we were making adequate provision for the entire Expenditure of the year, so far as it was foreseen by Her Majesty's Government. Now, Sir, if the statement can be shaken in its main particulars, I, for one, shall be extremely glad. If it cannot, then I call it an instance of highly unconstitutional conduct. Well, Sir, in the second place, I think it is unconstitutional to deal, as the Government has done—and here there is no doubt at all about the facts—with the power of the House of Commons to vote money. They have placed us under the virtual necessity of meeting an expenditure which they have incurred without our sanction or knowledge. Now, I want to know, if that be allowable, what are the limits of that doctrine? It has been said by some Member of Her Majesty's Government elsewhere, and I may be told, that a Government often gives orders for this or that expenditure in anticipation of the sanction of Parliament. Perfectly true—a fact entirely inseparable from the administration of a great country. But these orders are given for the purpose of expenditure within the ordinary precedents, the ordinary course, and the ordinary necessities of administration. They are not given for things novel; they are given for things "great;" they are not given for things tending to narrow the discretion of Parliament. Is our discretion narrowed in this instance, or is it not? Are we free, or are we not, to refuse to vote this money? You know perfectly well that it would be disgraceful to leave it as a charge upon the Revenues of India. You know this as well—that there is no other source, except the Imperial Exchequer, from which it can be met. So that, instead of giving us a real freedom, you leave us, indeed, that nominal freedom which you cannot take away, and with which it is out of your power to interfere; but you have placed us in a position in which no real discretion can be exercised by us; and this in a case where you have gone against all precedent, and where, if ever there was such a case, it was most desirable that the discretion of Parliament should be unfettered and unimpaired. Sir, it is admitted that the introduction of Native Indian troops into the warfare of this quarter of the globe, independently of the question of their being so introduced in time of peace, is a matter of great novelty, and is a proceeding involving important questions of policy in every sense and in every direction such as, perhaps, can hardly be found in any other proposition that can be made. In the year 1854-5, when the Government of Lord Aberdeen thought it was necessary to ask Parliament to raise a Foreign Legion, that was a time of war; but we did nothing towards committing Parliament to the raising of that Legion without first seeking the authority of Parliament for the purpose. Surely the necessity for the siege of Sebastopol, with our reduced Army pining and perishing away from day to day, was an urgent necessity, compared with that of arraying your military demonstration in such an order as you think will best back your diplomatic arguments. But with the general and I believe the universal approval of Parliament, we felt that the introduction of foreign troops into the service of the country was an act of so grave and novel a character that it would be a high offence against the Privileges of Parliament if we were to presume in move in that direction without having first obtained its sanction. I take no merit whatever for this proceeding. I believe we should have been grossly to blame had we acted otherwise. Well, if Her Majesty's Government have taken the course they have adopted, not for the purpose of preserving the safety of the country, not to meet the exigencies of a war, but for the purpose of giving effect to their own special conceptions—that diplomacy is best backed when the bayonets are gleaming outside the door; if they have done that, then they have placed us in a condition of virtual servitude as regards the administration of this great power and privilege of voting money by a proceeding which, it appears to me, is one in the highest degree unconstitutional. Now, Sir, I come a little nearer to the Attorney General, whom I am glad to see in his place, and I begin by apologizing to him for the cheer which he so good humouredly referred to. I have always listened with respect and satisfaction to his legal arguments, and am always greatly assisted by them in my humble endeavours to comprehend the question at issue; and, therefore, it was from no want of respect that I was betrayed, along with a learned Friend near me, into that momentary utterance; but it was, I must frankly own, for my surprise, when I considered the way in which we were being led and who it was that was leading us in it. Well, Sir, I have, I think, shown that the proceedings of the Government were unconstitutional; and I now come to the other point—namely, that they were strictly and properly illegal proceedings—and in two respects the first has relation to the Bill of Rights, but it is not the relation to the Bill of Rights which the Attorney General ingeniously conceived. I am sorry to find that the hon. and learned Gentleman objects so much to a Motion if he scents in it something that shows him it has been drawn by a lawyer. The Attorney General has been concerned in the highest degree to discover something astute in the manner of bringing this subject before the House; but the Attorney General entirely misconceives the relation of my noble Friend's Motion to the Bill of Rights and the Mutiny Act. He appeared to think that the Motion was founded upon nothing but the Bill of Rights and the Mutiny Act. He has not heard that statement from anyone on this side of the House. I quite agree that the Attorney General sees nothing in the matter except the Bill of Rights and the Mutiny Act. But the question is, whether he ought to see something in the matter besides the Bill of Rights and the Mutiny Act. Now, what are the doctrines that we have heard from the Attorney General to-night? He has said, if I understood him—and I will put my propositions briefly—that the Bill of Rights in that particular clause which says the raising or keeping of a standing Army within the United Kingdom in time of peace, unless it be with the consent of Parliament, is against the law; he has stated that the Bill of Rights made that law. The Attorney General has also stated that it made the law for England, and that before the Bill of Rights the law did not exist either for England or for Her Majesty's Possessions beyond the seas. Now, Sir, what I have been taught—and what I think will be contended to-night from this side of the House—is that, whatever be the authority of the Bill of Rights and the Mutiny Act, they have reference to something more venerable still—to the ancient Common Law of the land, which the Attorney General does not appear to have taken at all into his view. The Attorney General finds that there was a debate in 1775, and, I will not say astutely—for I know he objects to everything that is astute—but ingeniously, and very effectively, as they say, he gets rid of that debate in 1775 by saying that a great many men on both sides of the House said many fantastic and wild things. That is the way that the Conservative Attorney General of 1878 disposes of Lord Chancellor Bathurst, Lord Camden, and the great legal luminaries of 1775. He will not deny that among the "wild and fantastic things" that they said were these—First of all, that the Bill of Rights was in this matter a strictly declaratory Act, and that while this was said by Lord Shelburne, it was said by Lord Camden and Lord Shelburne, and admitted by Lord Chancellor Bathurst, that "the Kingdom" in the Bill of Rights was to be interpreted as including the Dependencies of the Crown. But what are the two main propositions of the Attorney General? He says that the Bill of Rights did not declare the law, but made it. He also said that it made the law for the United Kingdom, not for the Dependencies of the Crown. There is one authority which I am sure the Attorney General will admit, and not accuse of wild and fantastic things, in regard to the Bill of Rights, and that is the Bill of Rights itself. And what does the Bill of Rights say upon the first proposition of the Attorney General —that the Bill of Rights did not declare the law, but made it. The Bill of Rights says this—

> "The said Lords Spiritual and Temporal and Commons, pursuant to their respective letters of election, being now assembled, and taking into their most serious consideration the best means for attaining the things aforesaid, do in the first place, as their ancestors in like case have usually done for the vindicating and asserting of their ancient rights and liberties, declare—"

They declare! And then they proceed to declare, among others, the propositions which I have already read to the House. But, says the Attorney General, it is not a declaratory Bill. He has given us a most interesting description of the powers of the Crown, as he thinks that they existed, but as the authors of the Bill of Rights did not think they existed, before the Revolution of 1688. I must say he has made us all thank God that we did not live under a state of things such as he described. He has been most liberal to us to-night. He admits boldly —in fact, he makes great concessions to us—he does not for a moment think of denying the power of the House of Commons to vote the money. He does not contend that the Crown can take money. I thought at one time we were going back to Ship-money; but I was mistaken. Whatever other dangers I think there may be, there is no danger of that sort; the generosity of the Attorney General would keep them from it. I want now to test the doctrine of the Attorney General about the Dependencies of the Crown. He says that the Crown had the universal power of raising Forces for the purposes of defence before the Bill of Rights, and that that power, universal before, was abridged by the Bill of Rights solely with reference to the Kingdom of England, now represented by the United Kingdom. The Crown had, however, the right of maintaining Standing Armies except in England after the Bill of Rights, and everywhere as well as in England before the Bill of Rights. According to the Attorney General, there is no doubt at all about it. By his contention, it was perfectly competent to the Crown to maintain Standing Armies in every one of our American Colonies. That was the contention of the Attorney General. Now, in the first place, that was not the practice of the Crown. In the second place, it was not the practice of the Crown until very late and very evil times—the evil times preceding the American Revolt and Civil War, and when in that American Revolt and Civil War the great statesmen—for such they were, though bred within the narrow limits of small Colonies—set forth their grievances. Among them they stated this grievance charged upon the King of England—"He has kept among us in times of peace Standing Armies without the consent of our Legislature." That was set forth by the American people. It was the expression of the general practice. The Attorney General finds nothing in that declaration, nothing in Lord Camden, Lord Shelburne, or Lord Chancellor Bathurst, to support the theory that the Crown is entitled to keep Standing Armies in the Colonies at its pleasure. I own that these are pretty considerable objections taken to the legal doctrine of the Attorney General in matters of the very highest Constitutional import. The Attorney General goes on to say there is a power given to Canada, under which in Canada an Army may be raised and paid without the consent of the British Parliament further than as that consent is given by the Dominion Government Act, and that a similar power has been given in respect of the Indian Army by the Indian Government Act of 1858. Does the Attorney General think that these are parallel cases? Does he think that the powers of the right hon. Gentlemen among whom he sits are the same with respect to this Canadian Army as they are with regard to the Indian Army? Without doubt, Parliament gave away a portion of its power to Canada. It gave away a portion of its power to be exercised in Canada under the same Constitutional restraints as apply to the administration of the Army under the Mutiny Act, and so to be exercised that the Ministers of the Crown in this country have no more power over the Army of Canada than they have over the Armies of France and Germany. The responsibility of the direction of that Army is in the hands of the responsible Ministers of Canada, exercising powers which have been granted to them by the British Legislature. Is that the case with the Indian Army? It is, as the hon. and learned Gentleman knows, in every important particular, except that both have a Parliamentary authority, the reverse, because the Indian Army, so far from being entirely removed from the control of the Ministers of the Crown, is really at their absolute disposal. The Attorney General has done that for us for which I feel grateful to him. He has revealed to us in his speech the true doctrine and true contention of the Government. I listened in vain to the Secretary of State for the Colonies, and I listened in vain to the able speech of my hon. Friend the Under Secretary of State for India (Mr. E. Stanhope)—whose appointment, for his abundant promise, I heard with great pleasure—in the endeavour to extract from them the doctrine on which the Government means to take its stand. My hon. Friend the Under Secretary of State for India said he did not like extremes this way or extremes that way, and that the Government was moderate in all they did; but he did not give us the smallest iota of a clue to the laws, or the principles, or the securities by which the liberties of Parliament are to be guaranteed. But the Attorney General has been very frank and very communicative. His doctrine, taken as a whole, is that it is the Prerogative of the Crown to make peace and war, to raise and maintain Armies, to discipline, command, and direct troops; that this Prerogative, which was universal in the glorious days of the Monarchy in the 17th century, though it was supposed to have received its death-blow in 1689, still continues in full force in the Dominions of the Crown everywhere outside the United Kingdom. And what has Parliament to do? Nothing at all, except to vote the money; and to vote the money when? Before it has been spent? Aha! if he had extended his generosity a little, and would only have given some inkling of an idea in his mind that we were to hear of the thing before it was done, and not after, it would have made all the difference. No, Sir; it is after it has been spent. How long? As long after as the Government thinks convenient. But according to what criterion? Not convenient according to the criterion of military necessity, but convenient according to the state of diplomatic negotiations and the state of political exigencies. So that the Government, according to the Attorney General, has the power to maintain what Forces it pleases, and use them as it pleases, and when it pleases, and where it pleases, and as long as it pleases, until it is under the necessity of finding money from this House; but as to the time of that necessity, it can exercise its own discretion, it is not bound to know anything of our previous consent at all, and there is no limit as to the time at which it is under an obligation to come and take us into its counsel. The Attorney General has not been complete in his examination of precedents; he has not condescended to look at the precedent of 1816, he has forgotten, or has not been informed, that in 1816 a large sum of money, forming a portion of the indemnity payable by France, came into the hands of the Government, and was proposed by the Government to be applied to the maintenance of the British Army in France. Now, I challenge the Attorney General again. According to his view and contention, the money having come lawfully into the hands of the Government, they were justified in applying it to maintain the British troops in France without the authority of Parliament. That is the doctrine of the Attorney General; do not let there be any mistake about it; these things are too important for there to be any mistake about them; this is the beginning and not the ending of a Constitutional conflict. The vote of the majority will have a vast importance, of which I shall have a word to say by-and-by; but, whatever its importance may be, it will dash itself, like the idle wave against the rock, when it comes into conflict with the fixed, hereditary liberties of the British nation. In the teeth of the doctrine of the Attorney General, a demand was made on the Government of 1816—in excellent Tory times, in better Tory times than the present—a demand was made on the Government of Lord Liverpool to put that money under the control of Parliament and to vote the expense of those troops, and the Government of Lord Liverpool, strong in a majority even greater than that now possessed by the present Government, acceded to this demand. So much for the doctrine of the Attorney General upon these three fundamental principles—first, that the Bill of Rights did not declare the law, but made it; second, that it made it only for this Kingdom, and that no such law as it made had then existed or now exists outside this Kingdom; and, third, that provided the Crown can obtain the means to support troops, it may maintain them anywhere, except in the United Kingdom, without asking Parliament for its consent. That I believe to be the state of the case as regards the Bill of Rights and the offence Her Majesty's Government, in my view, have committed against the law—not against the Bill of Rights merely, but against that Common Law of which the Bill of Rights is, perhaps, not the most complete, but, at the same time, a most solemn historical expression. The Secretary of State for the Colonies thought he settled the question by showing that when the Union with Ireland was effected, the words "the United Kingdom of Great Britain and Ireland" were substituted for the simple phrase "the Kingdom." I am afraid the Secretary of State for the Colonies must have been in communication with the Attorney General, and must have had the simplicity of his mind in some degree corrupted; for, as we have heard from the Attorney General to-night, that which politicians above all things eschew, when they have anything serious or important to do, is taking the views of the lawyers about it. This was the doctrine laid down in the preamble of the speech of the Attorney General. If there had been no such thing as a Common Law; if the whole law had rested merely upon the question of this word "Kingdom" in the Statutes, in the first place we never should have had the Declaration of 1775; but, passing that by, and granting that the change to the words "United Kingdom of Great Britain and Ireland" in the Mutiny Act would have been an important fact, it is of no importance whatever to the present state of the argument, because the word "Kingdom" does not derive importance from any grammatical and necessary meaning as found in the Bill of Rights, but from the relation of that portion of the Bill of Rights to the common law of the country, which common law could not possibly be affected by the question whether the Preamble to the Mutiny Act speaks of the "Kingdom" or speaks of the "United Kingdom of Great Britain and Ireland." I now come to the second of those breaches of the law which, it appears to me, the Government have committed—whether from taking or not taking the advice of the Attorney General beforehand I do not know—that is, the breach of the Indian Government Act. Bold it may be to challenge the Attorney General in his law; and I feel myself more at home when I challenge him on his history, for I do not suppose that he is a better authority upon what has occurred in the House of Lords than are the records that are placed in our hands. The Attorney General says there was an equivocal clause introduced by me into this House, and opposed by all the Liberal authorities. Such is the disinterestedness of the Attorney General, that he seems to prefer very greatly those Liberal authorities to all the Conservative authorities who warmly supported the clause. He paraded those Liberal authorities; he marched them out one by one on the floor of the House—Lord Palmerston, Lord Russell, Lord Granville, Mr. Wilson, and I know not who; and he appeared to pass by with contempt Lord Beaconsfield, Lord Derby, and all the Members of the Government, who succeeded in carrying that clause by a large majority in a House in which they themselves were in a minority. The clause went to the House of Lords, and there, according to the Attorney General, either from the superior illumination of that Chamber, or the lapse of time and its beneficial influence in opening the human mind to truth, or from reflection upon the utterances of Lord Palmerston and some of his Friends, a marvellous change was produced, and Lord Derby was compelled to give way to the objection and to produce a clause of a totally different character. I quite agree it is of a totally different character from what the Opposition desired; but apparently the hon. and learned Gentleman has been misinformed as to what occurred. It is true Lord Derby said that, to obviate objections which had been taken to an apparent interference with the Prerogative of the Crown, he would amend the clause; but he never said he would produce another clause. He did not obviate the objections by the Amendments he made, and the opposition was continued in the Lords to the amended clause based upon the principle on which it had been denounced in this House. And why? Because the Lords knew perfectly well that the amended clause was a reality.

The ATTORNEY GENERAL (Sir John Holker): I beg pardon of the right hon. Gentleman for one moment. I find in the records of Parliament—"The Earl of Derby moved to insert a new clause in the following words—Clause 55."

Mr. GLADSTONE: I apologize; I thought it had been done by way of Amendment; but I do not at all care whether it is new in itself, or only new in form. I think the Attorney General will admit that I am right in point of substance. A restriction was introduced upon the action of the Crown; it was introduced with regard to operations beyond the frontier. It was introduced "except in cases of grave and urgent necessity;" and instead of saying that the operations beyond the frontiers should not take place "without the assent of Parliament," it said that the Revenues of India should not be charged with these operations. That is the amount of the change. And now what does this clause mean? We have had the Forces of India brought beyond the frontier; it has not been set up by the Attorney General as a defence that this is a sudden and urgent necessity. To maintain that it is a sudden necessity would be doing a violence to language which he would never dream of. A sudden necessity is that which has given no notice of itself beforehand. But this necessity, whatever it be—I do not know that it is a necessity at all—is a necessity which is in the sequence of a regular order of proceedings, one following upon another, and each one of which has been, in your mind and intentions, an introduction to the one that came after it. But, Sir, I think I have some title to speak of this clause, because the terms of it were terms on which I had the privilege of communicating fully with the present Lord Derby, who was Secretary of State for the period; and I must say that my views were entirely in consonance with those which he entertained, and I, for one, fully assented to that Amendment. Why? Because I saw it was a Constitutional improvement; that it maintained some control, and maintained that control in a Constitutional form, instead of in a form clearly unconstitutional. The consent of Parliament is now required to the military operations. What is meant by "the consent of Parliament?" Is it the previous consent of Parliament? The word "consent," I contend, as used, whether in an Act of Parliament or in the proceedings of this House—in the Parliamentary law of the country means, as in common sense it must mean, the previous consent of Parliament. The Attorney General does not mean that—he means the consent to-morrow, next day, a month hence, or any other time when you want the money. The Attorney General does not see the force of his own argument. If his argument were sound—that there is no limit of time applicable to the consent of Parliament—he would not have dwelt on the Amendment of the clause at all, for the old clause said it should not take place "without the approval of Parliament to the purposes thereof." But if you can have the consent of Parliament long after the fact, why might you not also have approval "to the purposes thereof" long after the fact? The Attorney General, I admit, has reduced that clause to an utter farce—has rendered it a nonentity except for protection to the Revenues of India. The Attorney General should recollect what took place before that clause was enacted. He should recollect the Afghan War of 1840 and the calamities that followed it—the whole of that policy being carried through without the slightest intervention of Parliament at the expense of India. The same thing might happen again. The history of that time might be repeated if the construction of the Attorney General is correct. He would have consulted Parliament at his own convenience, but his application to Parliament might have been postponed till the great catastrophe that happened in Afghanistan. Sir, I maintain that the construction which the Attorney General has put upon the Bill of Rights and the law connected with it is an untrue construction, and that his construction of the India Government Act is a great deal worse than that—it is a preposterous construction. ["Oh!"] I should be the last man to use a disrespectful expression—I mean a construction which reduces the authors of the clause, and those concerned in passing it, to a preposterous position so far as regards restraints upon the Prerogatives of the Crown in regard to the Indian Forces, which constituted the reason of its introduction. Well, Sir, I will not dwell upon the element of concealment in this case, except to say that it would have been some consolation, in connection with the extraordinary proceeding that has been taken, if one had been able to perceive some kind of benefit that could accrue from such concealment. My noble Friend near me (the Marquess of Hartington) has pointed out that your purpose in all these proceedings—I address myself to the Representatives of the Government here—appears to have been two-fold; it has been to make a series of military demonstrations, and to obtain the consent of Parliament to those demonstrations, in order to strengthen your hands. Having those objects in view, you ought to have pursued a directly opposite course to that which you followed; and the moment you had obtained the knowledge that the thing could be done—which was knowledge easily obtained—you ought to have come down to Parliament and made your demonstration effective in the eyes of Europe. Instead of that, however, matters have been carried on in secret; and by keeping the movement of these troops back from our knowledge, and by violating, as it appears to me, the Constitutional practice and the law of the land, you have contrived to make this into a most formidable subject of controversy, and the knowledge of that controversy cannot be confined within these walls, but must go throughout the length and breadth of Europe. I must say a word for the action under that clause which took place in the year 1859, because I do not think that the history, or the clear history, of that transaction has as yet been given. I am, beyond all things, anxious to call the attention of the House to the nature of the contention, as put by the Government, in this case. What we say is comparatively of little importance. We have no hope, charm we never so wisely, of charming your back benches into assenting to our proposition. I saw a few minutes ago, in his place, a Gentleman, an old Member of this House, to whom I should have wished to make an appeal—I mean the right hon. Member for the University of Cambridge (Mr. Walpole). There is another Gentleman, an old Member of this House, who has testified his opinion by his constant attendance, and by declaration already made. I want to know what are to be the votes of these Gentlemen? I hope my hon. Friend opposite (Mr. Newdegate) will not think it disrespectful that I should appeal to him; but I believe it is of the utmost importance to know the part that may be taken by old Constitutional Members of this House; and Gentlemen like my hon. Friend and the right hon. Member for the University of Cambridge have great responsibility resting on them on this occasion. It is a matter of great concern if those who have sat long in this House, who have sat with great Constitutional authorities, and who have seen matters treated very differently from this, if they should give their sanction to innovations of what I must describe a dangerous character. We have heard what the doctrine of the Government is—there is no limit at all affecting the employment of East Indian Forces by the Crown, except that they are not to be brought into the United Kingdom. I am glad that even that limitation is left; for when I heard the speech of the hon. and learned Member for Chippenham (Mr. Goldney) last night, and the cheers that it drew from the Treasury Bench, I had great doubts whether he was going to leave us the limitation of the United Kingdom. I do not expect to be annoyed by the billeting of soldiers without the authority of Parliament; but it is no good answer on the part of the Government to assume that there is no likelihood of anything of that kind, and, therefore, we need not be disturbed. When these things occurred the country was within one step of a revolution, and a revolution came to put an end to them. What we want is not to go within one step of a revolution—not to go one step nearer a revolution than we now stand. But let us look at this contention—the Prerogative of the Crown cannot be limited except by some express enactment, and by the necessity of asking a Vote from Parliament when the Government find they cannot get on without it. The various East Indian regiments are all Her Majesty's Forces. The 55th clause has no reference whatever, except that they must ask us to Vote the money when the money has already been spent. So, Sir, it has come to this—that, in the time of a Conservative Government, when, from year to year, and from generation to generation, you have been fixing, as you thought, the full Force of the Empire—for I will not look after any 12 men or 50 men that may be employed for service possibly in some Crown Colony—when we think we have been fixing the Military Service of the Empire, and when we think we have confined them in safe bounds, we find a vast Indian Force, and are told by the Government that Her Majesty's control over this Force is an absolute power to direct them wherever She pleases, provided they do not come into the United Kingdom. The Crown obtains from Parliament the right to raise 135,000 troops—strictly limited as to the use of the men, firstly, by the Vote of the number; secondly, by the Vote of the money; and, thirdly, by the expiration of the Mutiny Act. But within two or three hours, by telegram, there are in another part of the world 200,000 or 300,000 troops, a number which, if need be, may be doubled, under no control from the Vote of number, the Vote of Money, or the control of the Mutiny Act—that vast Force, having none of those restraints, unlimited as to number, and backed by a Treasury filled by more than £50,000,000 in the year—the whole of that vast Force is at the will and pleasure of Gentlemen sitting opposite, to be used for any purpose they please, without their saying why or wherefore, so long as they do not enter into the United Kingdom. Is that to be the state of things under which we are to live? I cannot listen for a moment to the plea that there is no practical danger. That was the plea that was made in the time of "Ship-money." It was said boldly and truly that Charles wanted the money for equipping a Fleet—it was really required; but such were his unhappy relations with Parliament he could not get it from them, and, consequently, he must get it where he could. Shall we consent to part with the securities obtained for us by our fathers? It is not merely whether we shall rush into the midst of danger, but whether we shall go within an inch of it. Do we think that liberty is a thing so safe, so popular at all times, that the sentinels of the Constitution may occasionally go to sleep? Is that the view entertained by the House of Commons? It may be that this Division will prove that such is the view of the majority; it may be that you will show that you are ready to assert that we have less liberty now than in 1865 and 1775; less than in 1865 because this had happened in 1859—the Naval Forces of France and England jointly sailed to the mouth of Peiho, carrying the Plenipotentiaries of the two countries, in order that in conformity with the Treaty of Tien Tsin they might convey the Treaty to Pekin to be ratified there. That Expedition was encountered by an assault from an ambuscade. It fought bravely, but suffered severely, and dishonour was inflicted on the flags of England and France. It was in the month of June, and Parliament was sitting; but there was no telegraph to China then, and the news did not reach the country till a few weeks after Parliament had been prorogued. The Government considered—and no one could question it—that a case of that kind, in which a Force approaching with no hostile intentions had been actually assaulted, repulsed, and for the moment defeated, was one of sudden necessity in which it was our duty to send orders to the nearest Forces for the men wanted. No one questioned that proceeding; and I do not believe that any one failed to see that that was one of the cases excepted from the Indian Government Act as a case of sudden and urgent necessity. But when the war had been brought to a conclusion, it was still found necessary to leave in China some portion of the Forces, and that portion remained in China for some time, with the consent of Parliament, which was given on the ground that it was really a sequel—the continuous sequel—of a case, of sudden and urgent necessity, and therefore covered by the conditions of that case. But, after some time, General Peel pointed out the state of the case and the Government of Lord Palmerston assented to his view; and although the state of things had grown out of a case of sudden and urgent necessity, yet they agreed that the Indian Force remaining in China for the purpose of completing the transactions there should be treated as a Force subject to Parliament, and that both the men and the money should be voted. Here is the Vote taken in the year 1866. This House actually voted—

> "That a number not exceeding 178 of Native Indian Troops, belonging to Her Majesty's Native Indian Army, be maintained beyond the limits of Her Majesty's Indian Possessions."

What I affirm is that this Vote expresses a compact between the Executive Government and the Parliament. It expressed the result of much discussion in this House, and that was that these Troops, though but the tail, so to speak, of an Expedition of necessity, should be voted by this House, though their number was only 178. Yet now we have the Attorney General telling us, not as to 178, but as to 178,000, the whole Force that the whole of India can yield—East, West, North, and South—can be taken by the Government, provided only that they get the money to pay for them without coming to Parliament. It is still more sad to think that we have lost something of our liberties even since 1775. In that year it was admitted that the word "Kingdom" in the Bill of Rights, in order to bring it into conformity to common law, must be understood to mean the whole of the Dependencies of the Crown; and now, in 1878, what was then unanimously asserted is formally denied. The Attorney General sets up another case and says—What was the object or the use of foreign troops? The Bill of Rights does not speak of foreign troops, but of keeping up a standing Army; and therefore the Attorney General is entirely wrong in alleging that, as a matter of fact, the question turns on the employment of foreign troops. But the case of Indian troops requires more contention than if they were foreign troops. If they were foreign troops, who is to pay them?—and they would be only a handful of men; but in India you have 200,000 men, and might make them 400,000, and there is a Treasury of £50,000,000 to support them till it is exhausted. I find no difficulty in seeing my way to the right conclusion in these circumstances. I think it is our duty, from generation to generation, not to abandon, not to impair, not to suffer to be impaired, so far as it depends on us, the ancient and ancestral liberties of this country; but to guard with the utmost jealousy every security that has been thought wise by the great sages of the Constitution for the purpose of guaranteeing our liberties. I was out of town at the time when my noble Friend resolved on giving Notice of this Motion; but I heartily and cordially thank him for giving that Notice, and for his announcement to take the sense of the House upon it. I think if these things are to be done, they ought to be done in open day. The Vote of the majority in favour of this proceeding will be an historical fact of cardinal importance. It is our duty to run the risk of that Vote. It will be a great evil—it will be a national calamity; but there is one evil greater and one calamity deeper still, and that is that the day should come when, at any rate, the minority of the House of Commons should shrink from its duty, and should fail to use every effort in its power to bring to the knowledge of the people the mode in which, and the circumstances under which, its liberties are being dealt with by its Representatives.

Mr. BALFOUR said, that he felt unwilling to follow the right hon. Gentleman the Member for Greenwich, but he thought it worth while to point out that the right hon. Gentleman had not been wholly accurate in his treatment of the historical precedents he had given. The two main points of his speech had been the accusation against the Government of having incurred expenses without the consent of Parliament, and the charge that they had broken through the Constitutional bulwarks set up by the Bill of Rights. He would not follow the right hon. Gentleman into the reasons for the first accusation, because it was not covered by the Resolution before the House; but the second came under the terms of the Resolution, and was a Constitutional point with which the right hon. Gentleman had not dealt properly. What was the bearing of the precedent of 1775? Lord North's Government had undoubtedly infringed the Constitution, though Parliament did not think it worth while to cover them by a Bill of Indemnity. But, in his opinion, the Constitutional principle they violated was not that declared by the Bill of Rights, but that laid down in the Act of Settlement. They were wrong, not because they introduced troops into Gibraltar without leave of Parliament, but because they put foreigners into places of trust. He was aware that in the debates of that period a different opinion had been expressed. But of the speakers who supported that opinion he need only notice two—Lord Bathurst and Lord Camden; but there was some reason, he thought, to doubt the value of their opinions. Lord Camden was at the time violently hostile to the Colonial measures of Lord North, and the violence of his politics tended somewhat to impair the accuracy of his law; while, as to Lord Bathurst, even his admirers would not maintain that his legal knowledge was very profound. The Debate of 1794 dealt with a different subject—the introduction of foreigners into the United Kingdom—and the Attorney General, he believed it was, of the day, distinctly stated that, in his opinion, Gibraltar was outside the Kingdom according to the meaning of the Bill of Rights. If, therefore, Parliamentary precedent was to be consulted for the exact meaning given to the word "Kingdom," as used in the Bill of Rights and the Mutiny Bill, it would be found that the opinions of Lord Camden and Lord Bathurst were on one side; while, on the other side there was the fact that a large Military Establishment was maintained in Ireland, the opinion of the Attorney General to whom he had just referred, and the statutory interpretation which was put upon the Bill of Rights by the alteration which was made in the Mutiny Act in 1801. Indeed, it appeared to him that even the interpretation which was placed upon the Bill of Rights by Lord Camden by no means supported the allegation which his right hon. Friend opposite tried to found upon it. Lord Camden said that the word "Kingdom" meant all the Dominions of the Crown; and, if it did, India, no doubt, formed part of those Dominions. In that case, then, the Government could not have infringed the Bill of Rights, for the mere ordering of the transfer of troops from one part of the Kingdom to another was by no one maintained to be illegal. If, on the other hand, Lord Camden's interpretation was not accurate, Malta could not be said to be a portion of the Kingdom, and no troops had been introduced into the Kingdom in contravention of the provisions of the Mutiny Act. Whichever horn of the dilemma hon. Gentlemen opposite wished to choose, the Government, therefore, it seemed to him, stood absolved. The opinion which he took of the legitimate powers of the Executive seemed to him supported by the course that was taken by Parliament on the occasion of the India Bill of 1858. As to the clause which had been proposed by his right hon. Friend in that Bill in 1858, his recollection of what then occurred was that that clause was somewhat hastily accepted by the Government of Lord Derby. It was strongly objected to by Lord Palmerston and others, on the ground that it would unduly limit the Prerogative of the Crown; but it was passed in the House of Commons by a large majority. In the House of Lords, on the second reading of the Bill, Lord Derby took the same objection to it, and expressed it to be his opinion that in that respect it ought to be amended. When the Bill got into Committee, Lord Derby accordingly brought forward a new clause; but even to that Lord Granville objected, on the ground that it would unduly limit the power of the Executive, and he divided the House of Lords upon it. When the Bill afterwards came back to the House of Commons, although several alterations which had been made in it were not agreed to, the clause which had been substituted by Lord Derby for that of his right hon. Friend was adopted, and that clause did not limit, and certainly was not intended to limit, the power of the Crown to transfer troops from one part of its Dominions to another. The only intention which the framers of the clause, he believed, had in view, was to protect the Revenues of India, and that object had been satisfactorily attained. According, then, to the accurate interpretation of the Bill of Rights, as well as under the Act of 1858, the Government had, he thought, been acting entirely within the limits of the authority with which they were invested. There still remained the broad question of the danger to the Constitution which might arise from allowing Indian troops to be brought to Malta, as in the present instance. What mystic virtue was there in the Isthmus of Suez, that it should be so wrong and unconstitutional to bring Indian troops through it? If it were not dangerous to bring Indian troops to Aden, it was not dangerous to bring them to Malta; and if our liberties were threatened by the existence of non-Parliamentary troops in the Mediterranean they could not be safe so long as there were non-Parliamentary troops in India. Seeing, therefore, that this Debate would serve as an important precedent in future years, he trusted that no mistaken view of the law would induce that House to unduly limit the power of the Executive of this country.

SIR GEORGE CAMPBELL said, he was not about to enter into the military aspect of the question, notwithstanding some taunts which had been directed against him by the hon. Gentleman the Under Secretary for India on the previous evening. He felt that the question of the employment of the Native troops of India throughout Her Majesty's Dominions was one of such extreme importance, generally, that he should have liked to have discussed it apart from a great Constitutional question, which was in some respects of another character. He desired to confine himself on the present occasion to one special corner and view of this Constitutional question. The Government maintained that it was not unconstitutional for Her Majesty, in the exercise of Her Prerogative, to bring Indian troops into Europe, or into the countries adjacent to Europe, in excess of the number voted by Parliament; but they argued that that power could not be exercised except by means of Supplies voted by Parliament. The answer to this was, that the limitation of the Prerogative by the necessity of Supplies had been avoided by the use of money, temporarily or otherwise, out of the Indian Exchequer. He was afraid Her Majesty's Government habitually obtained money from the Indian Exchequer when emergencies arose in our Possessions abroad, and he wished to know whether it was a fact that the Government exercised an uncontrolled power of procuring money from this source? He maintained, that if the Government thought they could by the mere exercise of the Prerogative order the expenses of these troops to be defrayed from the Indian Exchequer, they had been guilty of an unconstitutional and illegal act. It was quite true that the House had divested itself of the control over the Indian finances, for the Resolution usually passed late in August could not be called control; but the Indian finances had not therefore been left to the personal control of Her Majesty's Ministers, a Constitutional authority had been established, which stood in the same relation to Indian Revenue and Expenditure that that House did to English finances. The Act for the Government of India, constituted by Section 7, a Council of 15 members, and by Section 23, it was provided—

> "At a meeting of the Council at which the Secretary of State is present, if there be a difference of opinion on any question, other than any question with regard to which a majority of Votes at any meeting is hereinafter declared to be necessary, the determination of the Secretary of State shall be final."

Now, what were the cases where a majority of the Votes of the Council was necessary? Section 41 answered this question; for it declared that—

> "The expenditure of the Revenues of India, both in India and elsewhere, shall be subject to the control of the Secretary of State in Council, and no grant or appropriation of any part of such Revenue or any other property coming into the possession of the Secretary of State in Council by authority of this Act, shall be made without the concurrence of a majority by the Votes at a meeting of the Council."

Now, he wished to know whether the expense which had been incurred in the present case, and defrayed out of the Indian Exchequer, had been voted by the Indian Council? It might be that the Secretary of State had asked for and obtained the consent of the Council to this appropriation of Indian funds; but if so, let the fact be made known to the House. He feared that since the establishment of the telegraph, India had come to be very much governed outside the Constitutional method—that it had come to be governed by telegrams passing between the Secretary of State, or a still greater person, the Prime Minister, and the Governor General of India. Successive Secretaries of State seemed to have come to believe that the clause to which he had referred had not any practical effect, and had got into the habit of overriding it. The Government might think that they were not bound to apply to the Council, and that the clause was not applicable to an expenditure such as that now under consideration; but if they held that opinion, let them say boldly that they were entitled to exercise a despotic power. He wished to ask Her Majesty's Government three Questions—first, whether, in order to make the expenditure for the transport of the Indian troops legal, it was not absolutely necessary that it should have the sanction of a majority of the Indian Council? secondly, whether the Government maintained that they were entitled to exercise a despotic control? and, thirdly, whether for the future they would consider themselves bound by the Act?

Mr. FORSYTH said, that he wished to explain the vote he intended to give. The noble Lord the Leader of the Opposition had by his Resolution asked them to affirm a grave and important Constitutional principle — he did not agree with his hon. and learned Friend the Attorney General that it was a quibble of the Constitution — and the question ought to be discussed without heat or passion, and, if possible, without Party feeling. He feared, however, that in the present condition of affairs, it would be impossible to discuss a question of this nature without something of Party feeling; but no Party consideration ought to induce them to deny or impair a sound Constitutional maxim. They ought to be as jealous as their forefathers were with regard to the Constitutional control by Parliament over the military Forces of the Crown, and transmit to their posterity the same heritage of freedom which they themselves had received. If the only question had been the Resolution of the noble Lord, without amendment, he could not have voted against it, because he believed that it affirmed a sound Constitutional principle. He understood the Resolution to refer to the Regular Forces in the pay of the Crown, maintained out of the taxation of the country, not to the local Forces raised and kept in the Colonies, and paid for by the local Legislatures. It was clear that Her Majesty had no power to enlist foreigners except with the sanction of an Act of Parliament. The first Act in the last century authorizing this was passed in the reign of George III.; and during the Crimean War the Act 18 *Vict.* c. 2 was passed, "enabling" the Crown to employ foreigners, who were not to serve in the United Kingdom. To raise and keep troops in the Dominions of the Crown and in its pay, beyond the number authorized in the Mutiny Act, without the consent of Parliament, would be, in his opinion, a fraud upon that Act; for by garrisoning their Colonies and Dependencies by such troops, "in defence of the Possessions of the Crown," the necessity for so large a number as Parliament had voted would no longer exist, and the superfluous number might be brought into this country, and form part of the Standing Army here, contrary to the spirit of the Mutiny Act and the Bill of Rights. Of course, in time of great emergency this might be done, and, if necessary, a Bill of Indemnity would be passed. But the Resolution of the noble Lord had been met by an Amendment, which contained an equally sound Constitutional principle with that contained in the Resolution. He was prepared to accept both propositions—the Resolution and the Amendment—because they did not conflict with one another; both were true and sound expositions of Constitutional Law. He thought, however, that the Government had been perfectly justified in moving the Amendment—for they must, to a certain extent, interpret the meaning of a Resolution by the way in which it was supported; and no doubt, the intent in moving the Resolution had been to attack the policy of moving the Indian troops. In three similar cases—in 1775, 1794, and 1816—the same course had been adopted, and the Previous Question had been carried by the Governments of the day. To show how jealous Parliament was of its control over the numbers as well as the pay of the Forces of the Crown, he would quote a few historical cases. The hon. and learned Member then cited several precedents in proof of his position, beginning with the year 1734, when a Message was brought down from King George I., hoping that he might be allowed to augment His Army, but that was opposed on the ground of danger to the country. The Addresses, however, were carried. That and subsequent precedents showed the jealousy of Parliament in keeping full control over the Army. Then, as to the moving of the troops from India. The Government might complain that no distinct Resolution had been brought forward condemning it. If it had been, they might have justified what they had done on the ground of emergency. He denied that what had been done was unconstitutional; still he regretted that Parliament was not told of it much earlier. As far as he was concerned, he saw no principle on which the Crown should be prevented moving troops from Calcutta to Malta, apart from any question of finance, any more than that they should be disabled from taking a precisely opposite course. Then, as to the question of finance, the Act of 1858 did not limit the power of the Crown to move Native Indian troops from India, but it provided that the expense incurred by such an employment of those troops as the present, should be borne, not by the Indian, but by the Imperial Exchequer. The present was not the time to discuss the policy or expediency of the course adopted by Her Majesty's Government; but there was one point to which no allusion had been made, to which he desired to refer. Under existing Acts, the Governor General of India had power to appoint courts martial for the trial of Native soldiers serving in India, or between the Straits of Magellan and the Cape of Good Hope. He thought, however, that when these troops reached Malta, it would be found that there was no Mutiny Act which would apply to them, and that the Government would have to ask Parliament for the necessary powers. He did not dissent from the Resolution in terms —and he also agreed with the Amendment. That being so, as the Government told them that passing the Resolution would weaken their hands in the present state of foreign affairs, when the prospect of the meeting of a Congress had never before been so favourable, and seeing that he had no wish to do that, he should vote for the Amendment.

MR. NEWDEGATE said, that the hon. and learned Gentleman who had just spoken (Mr. Forsyth) had said, that he could see no distinction between the Motion and the Amendment before the House. But, if there were no distinction, why had the Amendment been moved? He felt strongly, that the time had come when the great Constitutional doctrine, stated in the Motion before the House, ought to be affirmed. He was, therefore, prepared to vote for the Resolution of the noble Lord the Member for the Radnor Burghs. It was time that the House should assert its Constitutional control over the Armaments employed by the Crown. He would have the House consider, how largely, within the last few years, the Armaments of this country had been increased. The Standing Army was at present, roughly speaking, double what it was in the year 1855. The Reserves were of themselves almost equal to the numbers of the Standing Army in some former years. The character of the Militia had been changed into that of a Reserve, by its command having been transferred from the local Lords Lieutenant to Officers immediately dependent on the Ministry of the day. It might have been necessary thus to augment the Force at the immediate disposal of the Crown; but, surely, when all this had been lately done, it was not a period for Parliament to relax its Constitutional control over the increased Forces placed at the disposal of Her Majesty's Ministers. And was it not just cause for jealousy on the part of the House, when it found that a Government, that called itself Conservative, and had been considered eminently Constitutional, was, in the case of these Indian troops, violating the provisions of the India Act of 1858—an Act, which some of those same Ministers, when formerly in office, induced Parliament to pass into law? It happened that he (Mr. Newdegate) had rather peculiar and personal knowledge of the circumstances connected with the passing of the India Act. It was not very long before the passing of that Act, that the late Lord Derby had the kindness to invite him to become Secretary to the Board of Control in his Government—an office which he felt obliged to decline; but he served on the India Committee, and, at that time, took a very deep interest in the future constitution of the Government of India—a fact of which the late Lord Derby was perfectly aware. The India Act was passed in 1858, and he need only advert to what occurred in this House, with respect to a clause, that would restrict the power of the Crown in the disposal of the Native Forces of India, and that was carried through this House on the Motion of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone). The present Lord Beaconsfield, the present Lord Derby—aye, and all the Conservatives in the House—voted for the clause; and that clause imposed a positive restriction upon the removal of Indian Troops from India without the consent of Parliament. The right hon. Gentleman the Member for Greenwich had informed the House that another clause was substituted by the House of Lords for the clause which this House had adopted upon the right hon. Gentleman's Motion; that was the 55th clause of the Act for the Government of India; and, with the permission of the House, he would call its attention to the speech of the late Lord Derby, when he moved this substituted clause, the alleged violation of which by Her Majesty's Government touched the real legal question before the House; for, having been in communication with Lord Derby on the subject of India, he knew that the clause spoke that noble Lord's intentions. The clause ran in these words—

> "Except for preventing or repelling actual invasion of Her Majesty's Indian Possessions, or under other sudden and urgent necessity, the Revenues of *India* shall not, without the consent of Parliament, be applicable to defray the expenses of any Military operation, carried on beyond the external frontiers of such Possession, by Her Majesty's Forces charged upon such Revenues."

The Earl of Derby, in proposing the clause, said—this was from *Hansard*—

> "The object of the clause was to impose a certain restriction upon the Prerogative of the Crown—"

These were the first words Lord Derby uttered—

"through the intervention of Parliament. It was erroneously thought that it would prevent the Crown from employing Indian Forces upon any foreign Expedition. The clause had no such object or effect; or, after it passed, the Crown would be at full liberty to employ those Forces in any quarter of the globe for which, by the terms of their enlistment, they were eligible."

He (Mr. Newdegate) did not dispute what an hon. Member had said, who held that the Indian Mutiny Act sufficed for the employment of those troops in any quarter of the globe. Lord Derby went on to say—

"It being the undoubted Prerogative of the Crown to make war and peace, the Constitutional check upon the exercise of that Prerogative was the sanction of Parliament by the granting of the pecuniary resources."

What, then, became of the mere financial argument? Lord Derby proposed this clause in order that the House of Commons might have the opportunity, by its financial operations, of sanctioning or refusing to sanction the employment of those troops. What, he asked, became of the idea, that this clause was intended to be hung up for an indefinite period, during which those troops might be employed without the concurrence and immediate consent of Parliament? Lord Derby observed—

"The Crown could not send out Forces unless Parliament provided the funds to pay them; but it was necessary to introduce this clause for protection of the Revenues of India. The effect of the clause would be, that Indian troops, except for the purpose of preventing anticipated invasion, or of repelling actual invasion, should not quit their own territory."

He (Mr. Newdegate) did not understand that Her Majesty's Government anticipated an immediate invasion of India, nor did it seem to him that any sudden or urgent necessity existed. Their present action did not, therefore, come within the exception to which Lord Derby referred in moving this clause. Lord Derby continued—

"Or, if they did, the expense should be defrayed out of the Revenues of this country, and not out of the Revenues of India. If the troops were employed out of India, it would be for Parliament to decide whether they were employed upon Indian or Imperial objects."

Now, it had always been held that the Indian Forces might be employed for Indian objects, without the Government coming to this House; that he did not gainsay. Yet it had been said by the hon. Gentleman the Under Secretary for India—"Why, the troops could not be employed in the Island of Ceylon;" but it was clear that Lord Derby, when he moved this clause, intended that, for Indian purposes, the consent of Parliament should not be required for the employment of those troops. Lord Derby went on to say—

"The clause did not prevent the Crown from making use of the Indian troops, subject only to this—that, as a general rule, the expense of those troops must be defrayed by Parliament; and the same constitutional check, therefore, was imposed on the Crown with regard to troops serving in India, which was imposed with respect to troops serving in every other part of the globe."

That was the intention of the clause. [Mr. ASSHETON CROSS: Hear, hear!] The right hon. Gentleman the Home Secretary said, "Hear, hear!" but he (Mr. Newdegate) could show him that the construction which the right hon. Gentleman put upon this clause was not in accordance with the understanding of its Mover.

"If"—proceeded Lord Derby—"the clause were not agreed to, it would be perfectly competent for any unconstitutional Sovereign to employ the whole of the Revenues and troops of India for any purpose which the Crown might direct, without the necessity of going to Parliament for the advance of a single shilling."—[3 *Hansard*, cli. 1697-98.]

Now, what Her Majesty's Government had done was this. They had moved those troops from India for employment at Malta during a period of peace, and whilst Parliament was sitting, without applying to Parliament for its consent. When Her Majesty proposed to call out the Reserves, the Government advised Her Majesty to send a Message to both Houses of Parliament, and applied for the consent of Parliament before they ventured to embody the Reserve—indeed, before they summoned a single man of the Reserves; and he (Mr. Newdegate) contended, that according to the intention of Parliament, both according to the clause passed by this House in the first instance, and afterwards by the clause in the Indian Act, which Lord Derby carried in the House of Lords, the consent of Parliament, as the right hon. Gentleman the Member for Greenwich had argued, meant the previous consent of Parliament, in the case of the Indian troops, when employed out of Asia, exactly as in the case of the Reserves; and it was in this respect that he ventured to state, that from his understanding of the intentions of the late Lord Derby, who carried this clause, and from the manner in which that noble Lord resisted the subsequent attempts which were made to alter or to interrupt the progress of the clause, that it was clearly the intention of the late Lord Derby, and the intention of the House of Lords when they passed the clause, and the intention of the House of Commons who accepted it, that the consent of Parliament should be obtained before any of the Indian troops were moved out of the Indian territories. His conviction did not rest only upon what he had stated. In 1857, the year before the Indian Act was passed, there was a most remarkable debate in this House. On the 16th of July, 1857, the hon. and learned Member for Sheffield (Mr. Roebuck) moved a Resolution in this House, condemning the Government of Lord Palmerston for the employment of Indian troops in Persia. That Resolution was proposed at a most peculiar period. It was in the very height of the Indian Mutiny; therefore, the House of Commons felt that that was not a time when it would have been right to cast any reflection, however well deserved, upon the Government with respect to anything connected with the use or employment of the Indian Forces. He would mention a few facts and dates, which would show why Parliament did not think it right at that moment to interfere. It was not until the month of September that Lucknow was relieved; it was not even then in the full possession of the Crown; Delhi had not been taken. The Indian Mutiny was not declared to be suppressed until December the 20th. Therefore, as that Mutiny was at its height in July, Parliament very properly withheld any expression of opinion that might have appeared to reflect upon the conduct of Her Majesty's Government. Now, that was a crisis—that was an emergency. They talked of an emergency now; what was the emergency now, compared with the emergency in the month of July, 1857? Yet the House of Commons would not, he believed, have refrained from expressing an opinion against Lord Palmerston's employment of Indian troops without its consent, unless Lord Palmerston had apologized to the House. On the 16th of July, 1857, Lord Palmerston said—

"I contend, on the contrary, that our Constitution wisely and properly vests in the Crown the Prerogative and the discretion of declaring war and of making peace, with the reserve, however, which I readily admit, that when the Advisers of the Sovereign have deemed it their duty to counsel the Crown either to engage in or put an end to war, it is incumbent on them to lay before Parliament, if it is sitting, the grounds upon which the one course or the other has been adopted; or, if Parliament is not sitting, when the interests of the country are deemed to be such as to require recourse to be had to war, I frankly and freely admit it to be their duty to take the earliest opportunity of calling Parliament together in order to submit to it their reasons for resorting to hostilities. I should be the last man to deny that general proposition. I maintain, however, that in the case to which the Motion alludes, there were circumstances which rendered it a special case, and excepted it for the moment from the application of that general rule."

What, further, did Lord Palmerston say? Having admitted that he had no right to remove those troops out of India and employ them in war, without the knowledge of Parliament, as a general rule, he went on to say, in answer to the question, why he had not specially convened Parliament?—

"The earliest moment at which it would have been right to call Parliament together, with the view of stating to them the course of proceeding with regard to Persia, was the 16th of December, when it is acknowledged that the Declaration of War was actually issued. Parliament then stood summoned for the 3rd of February. The Christmas Holidays were approaching, and the earliest period at which it could have assembled would have been the first or second week in January. Therefore, the only *laches*, if *laches* it was, would refer to the short interval between the middle of January and the 3rd of February, on which day Parliament met. If the war had been one with a European Power, involving great and serious consequences, and likely to require the immediate co-operation of this House, I admit that even that brief delay ought to have been avoided. But, considering the remoteness of the scene of action; considering that no immediate requisition was necessary to be made to Parliament for the purposes of the war, we thought it would be attaching more importance to the matter than it intrinsically deserved to anticipate the period for which Parliament stood convoked, and to issue a Proclamation calling it together a fortnight sooner for the purpose of announcing to it that operations were going on in Persia. But we did in the Speech from the Throne at the opening of the Session communicate to the Legislature the facts of these disputes with the Shah, as well as the naval and military operations, which had taken place."—[3 *Hansard*, cxlvi. 1638-39-40.]

Therefore, Lord Palmerston admitted that he had no right, even when he felt himself bound to advise a Declaration of War, to move those Indian troops out of

India without the consent of Parliament, and even though he might have had to call Parliament together for the purpose. In the next year, in order to remove all doubt on the subject, Parliament passed the clause which he (Mr. Newdegate) had read to the House, with the exposition which was given of that clause by its Mover, the late Lord Derby; and he would ask Her Majesty's Government, why it was that now, in a period of peace, they, the Leaders of the Conservative Party in Parliament, had disregarded and set aside the provisions of an Act which was passed by their former Leader, and which he, who had served under Lord Derby, now told them was passed with the object of preventing the very action which the Government had taken in this instance? He would give the House another proof of this. In the year 1867 the Abyssinian War was likely to occur; and what did the Mover of this clause in the India Act—Lord Derby—do? He convened Parliament in November; and his (Mr. Newdegate's) late Friend (Lord Hylton), who had succeeded him as Whipper-in to the Conservative Party, and was subsequently made a Peer, seconded the Address in reply to the Speech from the Throne. In doing so, he declared that Parliament had then been convened, because it was constitutionally necessary that the consent of Parliament should be obtained before the Indian troops could be employed in Abyssinia. He thought, then, that he had ground, from personal knowledge, for entertaining the opinion, which he did with sincere regret, that Lord Beaconsfield's Government had violated the provisions of an Act which several of themselves passed when formerly in Office, and not only the letter, but also the sense, of the clause which their former Leader carried, for the very purpose of restraining the action which they had now taken. He regretted extremely that this case should have arisen. Why Her Majesty's Government had not come down to the House, and, in conformity with the precedent of 1867—for they had not to convene Parliament for the purpose, Parliament was sitting—why they had not asked the consent of Parliament for the employment of those Indian troops, he owned that he could not understand—unless he was to understand, from the speech that had been made by the Attorney General, and from other speeches which he regretted to have heard from the Ministerial Benches, and from which it appeared that the doctrine, which now for the first time they sought to establish, was, that the Advisers of the Crown were to have full liberty, and without previously consulting Parliament, to employ a large number, perhaps 100,000 or more, of these Indian troops, whenever they listed, in any part of the world. He held that that would be a most dangerous power for any Ministry, however composed, to possess; for he contemplated, as Lord Derby contemplated, as possible, the contingency of some Prime Minister, or some Sovereign, succeeding, who might be disposed to ignore the safeguards for British freedom which had been erected by our ancestors, and had existed for generations and for centuries, to preclude the possibility of our fellow-countrymen, or this House, their Representative, being overawed by a standing Army, and to preclude the possibility of the policy of this country abroad being compromised by the unconstitutional action of any Minister or Sovereign, without the consent of Parliament—to preclude the possibility of the country finding itself engaged in a war that it might deprecate, and that it might have avoided, if Parliament had intervened. He had ventured to address these few words to the House. After the able and exhaustive speech of the right hon. Gentleman the Member for Greenwich, he felt that, as an old Member of the House, to whom the right hon. Gentleman had appealed—and one, who had considered somewhat gravely wide Constitutional questions — that he should risk weakening the force of the right hon. Gentleman's powerful oration, by venturing another word in support of the right hon. Gentleman's arguments.

SIR HENRY HAVELOCK said, the last speaker was entitled to their sincere congratulations for his clear, manly, and out-spoken enunciation of Constitutional law and principles. It was said this was not the best time to discuss the policy and economy of removing Indian troops out of India; but it was to be feared that if those points were not now discussed, they would escape consideration. He condemned the conduct of the Government on three separate grounds—first, on the ground of Constitutional law, secondly, on the ground of economy, and thirdly, on the ground of policy, both as affecting this country and India. He must, first of all, say a few words with regard to the Indian troops themselves. Some hard and undeserved things had been said against them, and he felt bound to say a word or two in their defence. These men were loyal, well-disciplined, faithful, orderly, and obedient servants of the Crown. In circumstances new and unexampled, they were leaving their home and kindred with alacrity and cheerfulness at the call of the country to which they had sworn allegiance, and when they arrived at Malta they should be met, not with terms of disparagement and reproach, but, as far as their military conduct went, in terms of eulogy and praise, and should be treated with consideration and kindness. It was said they were Mahomedans, and therefore likely to engage in this expedition with a sympathy they might be supposed to have for the Turks. As a matter of fact, he might say the majority of the men were not Mahomedans; three-fifths of them were Hindoos, and had no more sympathy with Turkey than he had. The first ground upon which he condemned the conduct of the Government —namely, that of Constitutional law— could not be more distinctly defined, or with more vigour and force, than by the Resolution submitted by the noble Lord the Leader of the Opposition. Two questions were presented to the House— first, was the employment of these troops, without the consent of Parliament previously obtained, legal or illegal? and, secondly, assuming their employment to be illegal, was there anything in the circumstances of the case which the Government could plead in justification for having departed from the law? He thought it was impossible to deny the illegality of the conduct of the Government, after the elaborate and wonderful speech of the right hon. Gentleman the Member for Greenwich. Nor did he think there was any emergency to justify the Government in moving these troops without the previous consent of Parliament. With regard to his second ground of objection, he observed that no troops under the British Crown, in their surroundings and their peculiarities, were so expensive as these troops which had been brought from India to Malta. He believed they required, by two-thirds, more tonnage than any other troops in the world. If, in 1875, the Government had adopted a plan which he and others suggested, there would have been no necessity for looking to India for a military reinforcement—they would have at their command a reinforcement which, for military purposes, would have been three times more efficient than that to which they had resorted, and which would occasion enormous expenditure. If the Government had increased the Militia Reserves from 30,000 to 40,000, the cost would have been only about £45,000 a-year. Those 10,000 additional men would have been sufficient to fill up 21 battalions of the Line. With regard to his third ground of objection, he would observe that the result of the step taken by the Government was at least questionable, and might be fraught with danger to India and to England. If these 7,000 Native troops from India were to be followed by such a number as would have weight in Europe, we should have to make a total change in our Indian policy, in this respect among others—we should have to insist on a disbandment of the Armies of the independent Native Princes. With regard to the Amendment moved by the Secretary for the Colonies, it affirmed that the Constitutional control of Parliament over the raising and employment of the Military Forces of the Crown was fully secured by the provisions of the law. Now, part of the law in reference to that case was contained in the Act of 1858 for the government of India, which said that Indian troops should not be used outside the limits of India at the expense of the Revenues of that country. He asked, therefore, of what use the law was, when it was overridden, as it had been in this instance, through the action taken by Her Majesty's Government? The Amendment also affirmed that the control of Parliament was secured by the undoubted power of the House to grant or refuse Supplies. But what did such a power really amount to, after the expense of moving those troops had been actually incurred? The House was placed, practically, very much in the position of the traveller whose money was demanded from him by the highwayman who held a pistol at his head. In conclusion, he did not wish to weaken the hands of the Government in a time of difficulty. That statement might be received with incredulity — but in proof of it he had that day withdrawn from the Notice Paper of the House a Motion relating to the efficiency of the Indian troops, because he had been assured, on good authority, that it would be inconvenient for the public interests to proceed with it. This was a great Constitutional question, and he hoped that many hon. Members opposite, following the example of the hon. Member for North Warwickshire (Mr. Newdegate), would support the Resolution of the noble Lord. If the Members of the Opposition did not vote for the preservation of the Privileges of the House of Commons in such a vital question, they would have voluntarily abandoned their functions as guardians of the public purse. If, ignoring the merits of the question, hon. Members opposite voted blindly with the Government, they would show that, instead of being jealous preservers of Constitutional privileges, they had become a mere machinery for registering the personal acts of a personal Government.

MR. GRANTHAM *: I do not intend to follow my hon. and gallant Friend (Sir Henry Havelock) through the arguments he has used to induce us to vote for the Resolution; because he has devoted himself exclusively to the question of the policy of bringing over Indian troops to unite them with our English Army for service in Europe or in Asia, instead of attempting to grapple with the question of law raised by the Resolution of the noble Marquess (the Marquess of Hartington). I would willingly follow him through those fields over which he has travelled, because I look upon this measure as one of the greatest masterpieces of Her Majesty's Government; but I must ask the House to travel back to the only question now before us—namely, has the noble Lord correctly stated in his Resolution the Constitutional law of England upon the subject? It is a question of the greatest importance, not only to present times, but to future ages; and I do not regret, in the slightest degree, that the question has been brought forward—nay, rather I rejoice that it has been—because, as we have unfortunately so often been ranged in this House in battle array upon this Eastern Question, and we on this side of the House have been so often attacked in such a way as to stir up in our breasts the strongest feelings of Party antagonism, it is a matter of great congratulation to me that we can discuss this question with the coolness rather of lawyers than with the heat of Party politicians. The noble Lord asks us to affirm that the Crown cannot, without the consent of Parliament, raise or keep troops, either in the United Kingdom, or in any part of the Dominions of the Crown, excepting those actually serving in India. Now, I think I can show conclusively that that is not Constitutional law, notwithstanding the able speeches of the right hon. Gentleman the Member for Greenwich and the noble Marquess. They rest their defence entirely on the Bill of Rights, and they contend that, because by that Statute no troops can be kept "within the Kingdom except those enumerated in the Mutiny Act;" therefore "Kingdom" must be held to include all the Possessions of the Crown. Now, I think those Members who have spoken have omitted to notice that there is something besides keeping troops which is so restricted—the words of the Act are "raising or keeping." What does that show, as read by the light of the contemporary history of the country and of the debates of that period? Why, that Parliament was objecting—and we know it did object—to the diminution of the population available for the agriculture and commerce of the country. It objected to a number of the able-bodied men of England being kept in idleness, and tempted to lead a boisterous and dissolute life, instead of increasing the trade and wealth of the country by adopting peaceful pursuits. It was, therefore, England and English interests that Parliament was protecting, and not the whole of the out-lying Dominions of the Crown, whose interests in those days were always made secondary to the interests of England. Finding, therefore, that the "raising" troops only referred to the Kingdom alone, what is there to show that "or keeping" referred to a different area —namely—England *plus* the Dominions of the Crown? If you look a little further down the Statute, you will find that the framers of the Act were well aware of the difference between the "Kingdom" and the "Dominions of the Crown," because they use both terms together when, later on in the Statute, but not in reference to the raising or keeping of troops, they refer to the

Kingdom and Dominions of the Crown collectively. Besides, we must not forget that, except as affected by Statute, or the principles therein declared, the Prerogative of the Crown to direct the movement of troops, and to make war or peace is undoubted. And, unless you bring the Crown within the Statute itself, or within the principle of the Statute, you cannot limit that Prerogative; neither must we forget that what Parliament was so sensitive about in those periods of civil strife was lest they should be coerced, as they had been, by an armed Force, in the days of the Commonwealth, or lest the Government of the country should be overthrown by Royal troops in the pay of a Sovereign who might come to the throne at heart a Romanist, though by name a Protestant. What they were looking to, therefore, was the protection only of something within the four corners of England. Let us now pass on to the subsequent Statutes which have since been almost annually passed, called the Mutiny Acts, and see if there is anything there to show what was the view of Parliament as evinced year by year from its legislation. If there was any doubt as to its meaning in the Bill of Rights, there can be, I think, no doubt as to its meaning in the Mutiny Acts. Prior to the Union of Great Britain with Ireland, you always find that the words "within the Kingdom," or "within Great Britain" used. After the Union with Ireland, it is always "within the United Kingdom of Great Britain and Ireland." These are the words—

> "Whereas the raising or keeping a Standing Army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with consent of Parliament, is against law. And whereas it is adjudged necessary that a body of Forces should be continued for the safety of the United Kingdom, and the defence of the Possessions, of Her Majesty's Crown, that the number shall be, &c., &c."

You also find that the troops which were raised in Ireland by the Crown through the intervention of the Irish Parliament prior to the Union, and the troops raised in other Possessions, were never included in the numbers mentioned in the Mutiny Acts passed by the English Parliament. If the Crown of England were able to use those troops, as we know it did use them—especially the Irish troops—for English wars, how can it be said that the Crown could not keep troops in its Dominions, or move them from one Dominion to another without first coming to Parliament? History sometimes repeats itself, and, singularly, we find, by looking to the debates in the Irish Parliament that took place two years after those debates in 1775 in the English Parliament, on the introducing Hanoverian troops into Gibraltar and Port Mahon, and which have been so often alluded to—namely, on November 27th, 1777, a Resolution was passed in the Irish Parliament, *mutatis mutandis*—India for Ireland—identical with what has now taken place in reference to these troops. It is this—

> "That 4,000 troops, out of the 12,000 voted for the defence of the Kingdom (Ireland), be spared for His Majesty's service, the same to be no charge to Ireland after quitting the Kingdom."

Now, as no application was made to this Parliament that I can find, for leave to borrow these troops, the case seems to be identical. "But," says the noble Lord and the right hon. Gentleman the Member for Greenwich, "in the debate of 1775 the Lord Chancellor Bathurst gave up the point, and admitted that 'Kingdom' included 'Dominions.'" All I can say is, if he did say so, I think he was wrong; but, as the report of his speech is contained in about eight lines, it is evidently only what the writer, who very likely did not hear him, thought was the purport of what he said. If we look to what was said by the other great legal authority who spoke against the right claimed for the Crown by Lord North—namely, Serjeant Adair—we find he objected to it, not because of the actual words of the Bill of Rights, but because it was

> "deducible from the same principles of law and Constitution as that which induced our ancestors to pass the Bill of Rights as to keeping troops in the Kingdom."

Admitting, therefore, practically, that he did not agree with Lord Bathurst whether it was or was not within the principles of the Act may be a question of opinion which may be open to argument as much now as then. I think clearly it was not; and not one authority has been referred to to show that it was, beyond that debate, which ended in nothing. The difficulty raised by many Members, and which has induced them to affirm the noble Lord's Resolution, namely—

> "That the troops, when moved out of India, are subject to no Mutiny Act, and cannot be tried by court martial,"

is entirely fallacious, because Section 4 of the Mutiny Act seems to have been passed for the very purpose of this case, as it alludes to other troops raised by the Crown beyond those referred to in the Preamble to the Mutiny Act, and says that directly any such troops are raised and kept within the Dominions of the Crown, they shall be subject to the provisions of this Act as far as courts martial are concerned. If the Crown has no power to raise or keep troops in its Dominions, beyond the number sanctioned by the Preamble to the Mutiny Act, as the numbers to be kept within the United Kingdom of Great Britain and Ireland, there is nothing, and can be nothing, to which this section applies; and it is one of the first canons of construction, that to give a legal construction to a Statute, something must be found on which the words of the Statute are to operate. There is another point which seems to me of importance, but to which attention has not yet been drawn, and that is the language of the Marine Mutiny Act, which is annually passed side by side with the Army Mutiny Act. Now, it is quite clear that our Navy cannot be raised and maintained merely to remain within the United Kingdom of Great Britain and Ireland; but, if the keeping of an Army in foreign parts, or in the Queen's Dominions outside of England, was contrary to the Constitution, why was not the keeping of a Navy and a Force of Marines? Yet the Bill of Rights is silent as to keeping up Marines or Sailors, and you find no reference in the Marine Mutiny Acts to its being illegal to keep them, no reference to the "United Kingdom of Great Britain and Ireland," but only to the "United Kingdom and the Dominions of the Crown;" nor is there any limit whatever given to the number to be kept or maintained. Yet even in those days it was to our Navy that we mostly trusted for our armed defence, and which would be as formidable as our Army, if the Crown wanted to use it for attacking our foreign Dominions. How can there be any doubt, therefore, as to the meaning of the words "within the Kingdom," as used in the reign of William and Mary, or "within the Kingdom of Great Britain and Ireland," as used in our own Statutes, and that the words bear their ordinary meaning, and do not refer to Dominions in foreign parts? The right hon. Gentleman the Member for Greenwich has made, no doubt, a most captivating speech, in which he has talked very eloquently of unconstitutional and illegal acts, and has carried us back to the days of ship-money and the Star Chamber; but he has utterly failed to grapple with these facts, and has attempted to overawe the judgment of the House by painting to them vivid pictures of the Crown, acting on the advice of autocratic Ministers, transforming, as it were, Lord Beaconsfield into Oliver Cromwell, and commencing wars, and using our Indian troops for weeks, months, and years, without even allowing Parliament to know anything about their movements. What weight can there be in such suggestions? No action can be taken now-a-days but what is at once known. Not a ship, not a regiment, scarcely even a soldier, can be ordered to leave India without its being known in England within 24 hours. In this, however, I do agree with him—that as the Crown cannot get the money to pay the troops so removed from India, and kept in Her Majesty's Dominions without coming to Parliament for the money; therefore, unless the Government can give a good reason for ordering the embarkation of the troops before obtaining the authority of Parliament to pay them, they did do an improper act—an unconstitutional act, if you will—in making the country liable to pay for them; but the mere doing it, the mere embarkation before coming to Parliament, is not unconstitutional, because that is strictly within the Prerogative of the Crown. They did intend to apply at once to Parliament for the money directly the embarkation was a *fait accomplis;* and at the most it would be a question of Censure of the Government for not coming first to Parliament, if they are not able to give, as they could give, and will give, at the proper time, full and satisfactory reason for this—as I said before, the greatest masterpiece of their foreign policy. By so doing, they have shown to an awestruck Aggressor the power of an united Empire, and have prevented such statesmen as the right hon. Members for Greenwich and Birmingham from weakening its effects by first showing to Europe the sorry spectacle of a nation divided against itself. I submit, Sir, that the noble Lord has failed to uphold his alleged reading of the Constitutional history of England,

and I maintain that the Government have broken no Constitutional law, but have done that for which they are entitled to, and ought to receive, the best thanks of a united people.

Mr. CHILDERS pointed out that the interpretation just put by the hon. and learned Member upon the speech of Lord Bathurst, in 1775, did not accord with the view taken of it by two Members of Parliament both of whom referred to it in the debates of the time, or with the Report of it still extant, and that a reference to the debate of 1775 would show that Serjeant Adair virtually accepted Lord Bathurt's position. Turning to the actual question before the House, he would ask them to go back to the 27th of March, when Her Majesty's Government arrived at two decisions of very great importance. In the first place, they resolved to add to the strength of the Army by 35,000 men through the operation of the Army and Militia Reserves. That decision was made under three Acts of Parliament, and was at once communicated to that House. The other decision was to add 7,000 to the Army, as a draft from the Indian Native Forces. But these 7,000 men, we were told by Lord Strathnairn in his evidence before the Indian Army Committee, were equal only to 3,500 Europeans; so that while the decision to add so large a number as 35,000 men was published to the world, the Government deliberately kept back the knowledge of its determination to bring from India the mere tenth part of that force to Malta. But, if ever there was a decision about which Parliament ought to have been immediately consulted, it was this. On no question had there been a more pronounced expression of opinion, both on the part of Members of Her Majesty's Government, and their military advisers. In 1867 there was a very important debate on the policy of bringing Indian Native troops even as far west as Abyssinia. The speeches delivered in that debate had not, as far as he was aware, been referred to in the course of the present discussion, although they well deserved the attention of hon. Members. One distinguished Member of that House spoke with great vigour in the debate, dwelling at length upon the policy of bringing troops of this particular description from India to the assistance of the European Forces of Her Majesty. That Member of the House spoke of the question as having two distinct bearings. One was in reference to India, and the other was in reference to this country. He said it was a bad policy for India, because, if we had too weak, or too timid, or too facile a Governor General, India might be seriously denuded of troops for the purpose of serving European interests; but he maintained that the greatest danger was to this country, because he did not like India to be looked upon as an English barrack in Oriental seas. The Member who used those expressions in 1867 was Lord Salisbury, who, on the 27th of March last, decided that 7,000 Native troops should be brought from India, and that Parliament should not be consulted until after their arrival in Europe. Surely the House was entitled, when so great a change of policy had taken place on the part of the Ministers of the Crown, to have been promptly informed of the reason of the change. Nor was it only Lord Salisbury's opinion which had changed so suddenly. He had already referred to the Committee which, in 1867 and 1868, inquired whether to any extent it would be feasible to substitute Indian troops for European troops in the Colonies and Dependencies of the Empire. He had the honour of serving upon the Committee, of which Lord Salisbury was the Chairman. Among the military and Indian witnesses examined before that Committee, there was hardly any difference of opinion that such an operation as was now being carried on would be supremely unwise. It was true that some of them thought that under certain circumstances it might be desirable to substitute a larger number of Indian troops for the Regular Army at certain Colonial stations. It was also suggested by other witnesses of less weight, that it might be possible in certain circumstances to bring Indian Native troops as far as Malta, Gibraltar, and the Mediterranean. But all the witnesses, he believed, without exception, agreed that it would be very unwise to adopt any such measure for the first time on the eve or during the commencement of war, although some were of opinion that it might be done as a last resource in case of a desperate war. The utmost recommended by the witnesses was to substitute Indian for European troops in some of the Eastern Colonies, provided the operation were commenced in time of peace and carried out gradually; because, if it were found to be inconvenient, it might be stopped without any danger to the State. He might refer to one or two of the most salient points in the evidence of some of the most valuable witnesses examined upon this question. Lord Strathnairn was afraid that any employment of Indian troops in substitution for English troops would lead to a reduction of the Army; but, if such were to be adopted, he said—

> "I do not think that any such change would be good on the eve, or at the beginning of war."

Sir G. Clerk said—

> "I would not, under any circumstances, take a Native regiment to garrison Malta or Gibraltar, or any station in Europe."

General Pears said—

> "It would not be desirable to use Native troops at Malta or Gibraltar; but in time of war, in urgent need, a brigade or two of Sikhs might go anywhere."

Sir Walter Elliot said—

> "It would be very objectionable to do this first in the case of a European war."

Sir Hope Grant said—

> "I would only substitute Indian for Native troops in time of war as a last resource. Under no circumstances whatever would I send them to Malta or Gibraltar."

Sir Herbert Edwardes said—

> "My judgment is decidedly against bringing Indian troops to Europe."

He was not now arguing the question, which would come before them at the proper time, whether it would be desirable, in these or any other circumstances, to introduce Native Indian troops into European garrisons in the Mediterranean; but he would say most distinctly that, after the almost unanimous evidence given before the only Committee which, as far as he was aware, had inquired into the matter, and after the speech of the responsible Secretary of State on this very question, this was the very last transaction which ought to have been kept back from the House an hour. So great a change ought not to have been left to be argued here after the event. He had listened carefully to all the speeches from the Government Benches, and he had tried to find out precisely why it was that Parliament had not been informed of the matter. The House had been told that it was very desirable that there should have been secrecy, but they had not been told why. It was admitted that the delay of a fortnight had not had the slightest effect on the preparations of Russia, or obtained for us any diplomatic advantage. The only reason that had been given was, that if the information had been communicated to Parliament at an earlier date there would have been some inconvenience in taking up transports. Now, he would take on himself to say, not on his own authority, but on that of others of greater weight, that if it had been known that the Government required transports, in the present state of the shipping interest, they would have been able to obtain them at least as cheaply as had been actually effected. There never was a time at which shipping could have been had at lower rates. No doubt—he would not call them arguments—but excuses, based upon a number of legal, Constitutional, and administrative considerations, had been given for the delay. He should like to analyze the excuses of the Government. It was alleged on their part that the state of things constituted an emergency which justified them in withholding information from Parliament. But Her Majesty had Herself assigned that very emergency as a reason for coming to Parliament with information in respect to the calling out of the Reserve Forces. Therefore, the same state of things was relied upon as a reason for giving and for withholding information. The second excuse made by the Government was, that the right hon. Member for Greenwich had declared that it was the duty of the Government to take the responsibility of their actions upon themselves and afterwards to come to Parliament for their justification; but they forgot to add that his right hon. Friend said they should do so at the earliest opportunity. Instead of coming to Parliament at the earliest opportunity, the Government had not come to Parliament at all, had done nothing but answer questions, and only proposed to make a formal communication to Parliament when the Native Indian troops had actually arrived at Malta. Thus Parliament would receive no formal information with regard to the intention of Her Majesty's Government on this subject until that intention had actually been carried into effect. That excuse, he would venture to say, had no weight whatever. He now came to the Constitutional and legal doctrines which had been advocated by some eminent lawyers and politicians. The powerful speech of the Attorney General had been replied to by the speech from the right hon. Member for Greenwich, which would not be forgotten in that House, and the refutation was so complete that he would not venture to travel over the ground again. The Attorney General had come before that House in the character of the boldest supporter of the Prerogative that had been known since the days of Lord Eldon, and had argued that the employment of troops in Her Majesty's Possessions other than England was not a matter dealt with by the Bill of Rights; that its language—to use his exact words—did not extend beyond the Kingdom of England; and that the Mutiny Acts enacted nothing on the subject beyond the United Kingdom; so that the only function of Parliament with respect to troops in British Possessions was voting their cost. The hon. and learned Gentleman contended that the sole object of the Bill of Rights was to prevent Parliament and its Members being overawed, and this, it was evident, would not be occasioned by any number of troops kept in other Possessions of the Crown. The Attorney General and the hon. Gentleman the Under Secretary of State for India had both based their arguments on the 4th section of the Mutiny Act, which looked at first as if it had some bearing on the question, as contemplating the existence of a Colonial Army. He had with some pains traced the history of this clause, which was inserted during the American Wars, above a century ago, with the sole object of providing that where American Militia were brigaded with the King's troops, under a King's officer for service in the field, they should be subject then, and no longer, to the same military discipline. The Preamble to the clause up to 1810 was fatal to the Attorney General's argument. Again, it was argued that the Indian troops were not the only Army which Her Majesty could employ without having the consent of Parliament, but that there were also Colonial Armies that could be so employed. The hon. and learned Gentleman the Attorney General had argued that those different Forces were all Queen's troops, and that the Queen was empowered to employ them just as the Indian troops were now being employed. All he could say was that the existence of such troops was entirely unknown to Parliament, the only Return of troops in the Colonies describing those locally raised as Militia. They were told, however, that if they did not exist, they might, and probably soon would; that Canada would soon raise an Army, which would then be at the disposal of Her Majesty, in the same way as the Indian troops were at present. He should like to ask this question — If Canada did raise that Army, under what Act would it be raised? Was there any pretence that the Canadian Legislature could pass any Act exercising authority over troops outside the Canadian boundary? There was no such provision in the Constitution Acts of Canada, of Australia, or of any Colony, enabling them to do more than to raise troops in the nature of Militia for home defence—in fact, to do more than establish a superior police force, engaged under ordinary civil contract. But the Indian Native Forces were raised under an Imperial Statute, which gave effect to their Articles of War, not only in India, but wherever they went. It was idle to contend that this imaginary Colonial Force—the Attorney General's dozen men in buckram—were any justification for the ground which had been taken up with respect to the Indian troops. But it was then said that the Committee of 1867-8 had not referred to the Constitutional point when they discussed the use of Indian troops in the Colonies. No doubt, and for the best of reasons; for the point had been settled by the rule then in force, under which Indian troops in the Colonies were voted, just as British troops were, both as to numbers and pay. Then the Attorney General said that in 1863 some Indian troops were sent to New Zealand, and not specifically voted. Here, again, he was wrong; for, although there was a proposal to send them, they were not sent, but British troops leaving India in the ordinary roster were despatched to New Zealand instead of to other Colonies, and the numbers in the Preamble to the Mutiny Act were not affected.

THE ATTORNEY GENERAL (Sir JOHN HOLKER) observed that he had said that the troops sent forward were on the Indian Establishment and under the Mutiny Act.

MR. CHILDERS said, that made no difference, because European troops in India were always under the Mutiny Act. As to the particular troops referred to, they were paid out of and came within the Votes of Parliament. They could not expect the Attorney General to be conversant with all that occurred at the War Office 15 years ago; but he must not quote this case again in illustration of his argument. The Attorney General had also stated that the changes made by the House of Lords in the clause of the Bill of 1858 had effected the object of its original Mover. But, unfortunately, if he referred to the debate, he would find that the amended clause was opposed exactly on the same grounds as the original words. The fact was that, although there was some hesitation in 1861 and 1862 to yield to General Peel's protests, in 1863 the cost of Indian troops was separately shown. In the following year the numbers were shown on the Estimates; and since 1865 the number of Indian troops employed out of India, in spite of all the Attorney General had said, had been as regularly voted by Parliament as had been the numbers of troops of the Regular Army. This House had distinctly laid down that it was not sufficient to vote the money, and that when Indian troops were employed outside the boundaries of our possessions in India, the number must also be voted. As the Government claimed to send Native troops from India to Malta without the consent of Parliament, he would ask, whether they also claimed to send European troops from India in excess of the voted numbers? Did they also claim to substitute in India a small number of European troops for a larger number of Native troops moved from India into British Possessions, and not to come to Parliament at all if the latter cost no more than the former? These were questions which the Government were bound to answer. If the law would allow them to do this, the sooner they had a fresh Declaration of Rights the better, for the position was a perilous one, the gravity of which was not diminished by the smallness of the numbers in question. It was by laxity in small matters that dangerous precedents were established, and it was to prevent such a precedent that he hoped the House would accept the Resolution of his noble Friend.

MR. ASSHETON CROSS moved the adjournment of the debate.

Motion *agreed to.*

Debate *further adjourned* till *Thursday.*

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL—[BILL 44.]

(*The O'Conor Don, Mr. Richard Smyth, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, Mr. Redmond.*)

COMMITTEE. [*Progress 16th May.*]

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clause 3 (Penalties for selling of intoxicating liquors during prohibited hours extended to whole of Sunday).

On Question, "That the Clause stand part of the Bill?"

SIR CHARLES W. DILKE said, he had most unfortunately informed several hon. Members that this Bill would not come on that night. Perhaps he had no right to repeat a private conversation that he had with the hon. Member who had charge of the Bill; but he certainly gathered from him that the Bill would stand over until the debate on the Eastern Question had finished.

THE CHAIRMAN reminded the hon. Member that the House was in Committee on the Bill, and that the Question was, whether the clause should stand part of the Bill.

THE O'CONOR DON said, that what he intended to state, and what he did state, to hon. Members who had asked him the same question was, that he would not proceed with the Bill on Monday unless the Eastern Debate terminated before half-past 12. He thought there ought not to be much difficulty in making some progress that evening. The clause under discussion was one to which there was no objection. On the next clause the hon. Member for County

Limerick (Mr. O'Sullivan) had put down an Amendment to omit that clause altogether. Although the promoters of the Bill were unwilling to abandon the clause, yet, if hon. Gentlemen really wished it, they would consent to its being struck out. With regard to Clause 5, there were two Amendments proposed—one by the hon. Member for County Limerick, and the other by the hon. Gentleman the Member for County Cork (Mr. M'Carthy Downing). He would assent to both of those Amendments, if they, on the other hand, would allow the Bill to be dealt with in a fair and reasonable manner. But when they came to Clause 6, there was an Amendment to it proposed by the hon. Member for County Sligo (Mr. King-Harman). It would be hardly fair to ask the House to go into the consideration of that Amendment after the very serious question that had been debated in the House that evening. Therefore, he proposed to report Progress when the Committee arrived at Clause 6, the first clause that was of importance. As he had made these concessions, he hoped hon. Members would allow the Bill to proceed quietly.

Sir CHARLES W. DILKE observed, that he had not meant to allege anything like a promise on the part of the hon. Member for Roscommon not to bring on the Bill that night. He was only refreshing his recollection of a conversation which he was sorry he had mentioned to others. He certainly understood the hon. Member to say that he had not intended to proceed with the Bill until the debate on the Eastern Question was concluded.

Mr. O'SULLIVAN remarked, that they had been told that no fresh Bill would be taken up at a later hour than 12 o'clock, and, certainly, no such obnoxious Bill as this ought to be taken. They could not enter into a discussion on four Amendments and four new clauses at that hour. He, therefore, begged to move that Progress be reported.

Motion made and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. O'Sullivan.*)

The O'CONOR DON hoped that the hon. Member would not press his Motion, because, as he had before said, he had accepted the Amendments as they stood. He did not really understand what it was that the hon. Member wished to be discussed.

Sir JOSEPH M'KENNA trusted that the hon. Member for County Limerick would not occupy time by his Motion, when the hon. Member in charge of the Bill was prepared to give way to his Amendments. If there were any difficulty, it would arise on later clauses, and it was obviously occupying the time of the House unnecessarily to move to report Progress under the present circumstances.

Mr. FAWCETT could not support the Motion of his hon. Friend the Member for County Limerick. He hoped the Motion to report Progress would be withdrawn, for nothing could be more fair and reasonable than that which had been offered by the hon. Member for Roscommon (the O'Conor Don). The hon. Member for Roscommon stated that he did not like the Amendments to Clauses 4 and 5; but yet he would accept them, and had offered himself to move to report Progress when they arrived at Clause 6. In their own interests, therefore, he asked the opponents of the Bill not to alienate some of their English supporters by opposing what was offered by the promoters of the Bill.

Mr. O'SULLIVAN remarked, that there were four Amendments on the Paper before that of the hon. Member for Sligo. If the hon. Member for Roscommon were willing to accept all those, yet that of the hon. Member for Sligo remained. He would withdraw his Motion, only on the condition that the hon. Member for Roscommon was willing to accept those four.

The O'CONOR DON said, that he had already stated that there was no Amendment to the clause then before the House. On Clause 4 the hon. Member for County Limerick had given Notice to omit it, and to that Motion he had assented. To the Amendments of the hon. Member for Cork, on Clause 5, he assented; and also to the alteration on the same clause, proposed by the hon. Member for Limerick, and when Clause 6 was reached, he proposed to move that Progress be reported.

The CHAIRMAN said, that the Question before the Committee was that Progress be reported. If it were withdrawn he should then put the Question that the clause should stand part of the Bill.

MR. O'SULLIVAN asked leave to withdraw his Motion to report Progress.

Motion, by leave, *withdrawn.*

Question again proposed, "That the Clause stand part of the Bill."

MR. R. POWER said, that the Committee would remember that Sunday, in Ireland, was a most remarkable day. Sunday was a day on which great events took place. They were married, they were buried, and they were born, on Sundays. The hon. Member proposed that any policeman should, at any hour of the day or night, be permitted to enter into any public-house in Ireland. It must be remembered that the people who held public-houses in Ireland resided in them. In Scotland it was different, for the people who held public-houses there had also houses of their own. In Ireland, they were not so wealthy as to be able to afford both a public-house and a private residence. By this Bill, the policeman in Ireland was to be allowed to enter into any public-house whenever he chose, and if he found any person drinking he could arrest them. He had thus to draw a wise distinction between a person who was a guest of the publican, and the person who was merely a customer. If a person from a distance—a cousin, niece, brother, father, or mother—came to visit his or her relations, a policeman could enter into that house and arrest such person for drinking on Sunday. Therefore, he moved the rejection of this clause. The ground on which he did so was, that it would have the effect of placing licensed traders in Ireland—especially in the county towns and small districts, who resided in public-houses—at the mercy of the policeman. If a man was found in a public-house, drinking with the publican—no matter whether he was a brother, or any other near relation—he would be liable to be arrested and fined £10. And a policeman might at any time of the night enter into a public-house in order to detect the brothers of a publican of the crime of drinking. He wished to preserve the liberty of every Irishman, no matter who he might be, and for that reason he moved that this clause be rejected.

MR. SULLIVAN observed that the penalties in question were now in force under the provisions of another Act, and were for selling, or exposing for sale, or being, at any prohibited hour, in any public-house on Sundays. If public-houses now opened within prohibited hours on Sunday, then the evils which had been spoken of took place.

MR. MURPHY could not go the same length as the hon. Member who had moved the total rejection of the clause. He could understand that there ought to be a justification for giving such power to a policeman, in order to detect whether "selling, exposing for sale, or keeping open any premises for the sale of intoxicating liquors on Sunday" took place; but when the section went on to give the same power in case of anyone being present in or upon any such premises during any hours or time on Sunday, he thought the provision very unnecessary and objectionable. The Committee would recollect that this was an Act for the total closing of public-houses in the country districts of Ireland on Sundays. It would also be remembered that those public-houses were the places of residence of the families of the occupiers, and that if these words were to be made law no one present with the publican, however *bonâ fide*, would be safe from arrest by the policeman from the mere fact of his being in a public-house. He hoped the promoters of the Bill would allow a Proviso to be struck out, which subjected anyone who was found drinking with the publican in his house, on Sundays, to penalties.

THE O'CONOR DON said, that he believed, according to the ordinary procedure of the Committee, it would be incompetent for his hon. Friend to effect the alteration proposed; because the Question had been put, that the clause should stand part of the Bill. Before he could consent to the omission of the words proposed, it would be necessary for him to look over the existing Acts to see what effect the omission would have. But he might state that he agreed in the principle laid down by the hon. Member for Cork, and would undertake to look into the matter with the view of carrying out, if possible, upon the Report, the suggestion made.

SIR JOSEPH M'KENNA thought his hon. Friend the Member for Roscommon would be perfectly safe in agreeing to have the words struck out of the clause.

THE O'CONOR DON repeated that he would see in what way his hon. Friend's object could be best attained, although he could not consent to the alteration at that moment.

MAJOR O'GORMAN: The hon. Member for Roscommon has become, forsooth, the arbiter *elegantiarum* of this House. I beg to say that if my hon. Friend withdraws his Motion, I will make a Motion to report Progress. This Bill is a cursed Bill! It shall not pass while I can obtain a Teller to oppose it.

THE CHAIRMAN: It is my duty to state that the expression used by the hon. and gallant Member, as applied to the Bill, is one which is not in Order.

MAJOR NOLAN observed that the expression had been used before in the House to Amendments, and he thought if rightly applied to them, it could not be wrong to apply it to a Bill.

THE CHAIRMAN: The hon. and gallant Member is not in Order in adverting to what passed on previous occasions in the House. If the words, which I took from the hon. and gallant Member for Waterford, had reference to the Bill, they are unparliamentary, and the expression must be withdrawn.

MAJOR O'GORMAN: I think, Sir, we have very few liberties in this House now. I will not withdraw the expression. It is a cursed Bill.

THE CHAIRMAN: I will point out to the hon. and gallant Member that in this House it is customary to accept the ruling of the Chair. I must again ask the hon. and gallant Member to retract the expression.

MAJOR O'GORMAN: I have never done anything in this House to oppose its will; but I have very strong feelings upon this subject—the strongest that can possibly be entertained, and I am determined that this Bill shall not pass. [MR. SULLIVAN: Withdraw!] I shall not at the instance of the hon. and learned Member for Louth withdraw the expression; but I do, Sir, in deference to the decision of the Chair. I was elected for the City of Waterford for the purpose of bringing back Home Rule to Waterford, and if I cannot do that I shall cut off this right hand before I bring back a coercion Act to Waterford. I repeat, I withdraw the word I made use of, because you, Sir, have called upon me to do so; but I decline to do so because I have been called upon by Members who come here to support coercive measures.

MR. O'SULLIVAN wished to ask the hon. and gallant Member for Waterford whether he would take the decision of the House upon the whole clause?

MAJOR O'GORMAN moved the rejection of the clause.

Question put, "That the Clause stand part of the Bill."

The Committee *divided*:—Ayes 98; Noes 26: Majority 72. —(Div. List, No. 143.)

Clause 4 (Construction of Act).

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Major O'Gorman.*)

MR. O'SULLIVAN said, that if he understood the hon. Member for Roscommon (the O'Conor Don) aright, he had accepted his Amendments to that clause.

MAJOR O'GORMAN said, that if that were the case he would withdraw his Amendment.

MR. SULLIVAN: I should like to explain that the clause has been withdrawn.

THE O'CONOR DON said, that the hon. Member for County Limerick had proposed to omit this clause. When the Question came to be put that that clause should stand part of the Bill, he did not intend to oppose its being struck out.

MAJOR O'GORMAN said, that he did not withdraw his Amendment.

MR. J. LOWTHER hoped the hon. and gallant Member for Waterford would withdraw his Amendment after what had taken place.

MAJOR O'GORMAN: I have no objection to withdraw any Motion on the distinct understanding that this wretched coercion Bill for Ireland shall have an end for this evening at least.

Motion, by leave, *withdrawn.*

Clause *negatived.*

Clause 5 (Exemptions).

MR. O'SULLIVAN: I am sure my hon. Friend will have no objection to my Amendment, in page 2, line 32, to leave out from "liquors" to the end of the clause, and insert "on arrival or departure of trains."

Amendment *agreed to.*

Mr. O'SULLIVAN: I think that the Amendment I have now before the Committee is one, the principle of which, as to the refreshment of *bonâ fide* travellers as described in the Licensing Act of 1874, has been accepted, and that I need say no more than that the hon. Member for Roscommon will not object to the Amendment.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 6 (Commencement of Act).

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*The O'Conor Don.*)

Mr. KING-HARMAN would appeal to the hon. Member for Roscommon to go on with the Bill that night, as they had gone so far. They were kept there night after night to listen to the discussions on that Bill, and as they were there now, they might just as well sit later.

The O'CONOR DON remarked that the promoters of the Bill would be most willing to go on then. But he would remind the hon. Member that the other night he refused to allow the Bill to proceed, and moved to report Progress. He himself had stated to the opponents of the Bill that, when Clause 6 was reached, he would move that Progress be reported, and, of course, he was bound to adopt that course; though, for his own part, he would be willing to sit there for the next three hours.

Sir JOSEPH M'KENNA entirely objected to go on then.

Mr. KING-HARMAN said, that what he objected to was having this Bill commenced at a late hour. But he could see no objection to their now going on and discussing the Amendments to the present clause, which were very simple.

Mr. O'SULLIVAN said, that his hon. Friend the Member for Sligo would recollect that there had been a distinct understanding that they should not go on, and he hoped his hon. Friend would not withdraw his Motion.

Mr. KING-HARMAN said, that because there was an understanding between the hon. Member for Roscommon and other hon. Members the Committee was not bound.

Mr. J. LOWTHER said, that there was no question of a private arrangement between any hon. Members. It was a distinct promise made to the Committee that Progress should be reported at a certain stage, which promise the hon. Member for Roscommon was loyally endeavouring to carry out, and to which course he trusted the Committee would now consent.

Dr. WARD asked, if it were convenient to go on then with the Bill, at half-past 1, when they had spent so much time over it the other night? He protested against the adjournment of the House at that early hour, seeing that they had been able to sit till 9.30 a.m. the previous week, when time was merely wasted. He thought the House might go on for an hour or two.

Mr. ASSHETON CROSS said, when an hon. Member who had charge of a Bill stated that at a certain stage he would move to report Progress, hon. Gentlemen who were interested in the Bill would have a right to go away on the faith of such an assertion.

The O'CONOR DON said, at the commencement of the discussion, he had stated if his hon. Friend who opposed the Bill would allow it to proceed to a certain stage, he (the O'Conor Don), accepting the Amendments proposed up to that time, would propose to report Progress. His hon. Friends who opposed the Bill had carried out their part of the agreement; they had not met him with any obstruction, but had fairly executed their part of the bargain. That being so, could he be asked to break his word, and to try and press the Bill on, despite his having pledged himself to move to report Progress. If the passing of the measure depended upon going on, he could not be guilty of such a breach of faith.

Mr. DILLWYN said, the hon. Member who had last spoken had not made his arrangements for reporting Progress in a hole-and-corner fashion. He had openly stated in that House what he intended doing, and those who objected to such a course being pursued should have protested against it at the time.

Mr. KING-HARMAN did not wish to detain the Committee, if it was not thought desirable to go further that night; but he must say that he and others had been given to understand that at whatever time the Bill came on it would be proceeded with. A great number of hon. Gentlemen remained, much against their wills, in order to see the matter through, and when the Bill was reached, then, for the first time, they were informed that it was only proposed to proceed as far as a certain clause. He would not press his Motion for proceeding with the Bill, if the Committee did not wish it; but he asked the hon. Member for Roscommon to fix a date to discuss the Bill, and finish it, instead of bringing hon. Members down to the House, night after night, waiting about for this measure to come on.

Dr. WARD said, unfortunately, he was not in the House when the hon. Member for Roscommon gave the undertaking not to proceed with the Bill beyond a certain clause. As he had promised that, he (Dr. Ward) by no means desired to see him break faith with the Committee.

Mr. SULLIVAN said, on the occasion of the all-night sitting of the previous week, his hon. Friend the Member for Roscommon stated at the commencement that if any reasonable progress were made that night, he would not press the Bill further. But nothing was done on that occasion, whereas they had now made the reasonable progress of which his hon. Friend then spoke; and he was, by the course he was pursuing, carrying out his promise not to proceed to an undue length with the Bill at any one sitting.

Motion *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Friday.*

House adjourned at half after
One o'clock.

HOUSE OF COMMONS,

Wednesday, 22*nd May*, 1878.

MINUTES.]—Select Committee—Land Titles and Transfer, *nominated.*

Public Bills—*Resolution in Committee—Ordered —First Reading—* Linen and Hempen Manufactures (Ireland) * [184].

Second Reading —Rating of Towns (Ireland) [8], *put off;* Contagious Diseases Acts Repeal [59], *debate adjourned;* Elementary Education Provisional Order Confirmation (Portsmouth) * [179]; Local Government Provisional Orders (Abergavenny Union, &c.) * [166]; Local Government Provisional Orders (Bournemouth, &c.) * [168]; Local Government (Ireland) Provisional Order Confirmation (Artizans' and Labourers' Dwellings) (Cork) * [180].

Committee—Report—Gas and Water Orders Confirmation * [153].

Withdrawn—Voters (Ireland) (No. 2) * [65].

ORDERS OF THE DAY.

RATING OF TOWNS (IRELAND) BILL.

(*Mr. O'Shaughnessy,, Mr. Butt, Mr. Collins.*)

[BILL 8.] SECOND READING.

Order for Second Reading read.

Mr. O'SHAUGHNESSY, in moving that the Bill be now read a second time, said, there was another Bill down on the Paper, entitled the Voters' (Ireland) (No. 2) Bill, the object and provisions of which he believed were nearly identical with that which he was about to bring before the House. In referring to that measure, he wished to assure the House that there was no understanding between him and the hon. Member for Youghal (Sir Joseph M'Kenna) on the subject, and that the coincidence was a pure accident. The purport of this Bill was to remove some difficulties which now existed, and which prevented persons in Ireland from enjoying the franchise who were entitled under the law. The Bill involved no extension of the franchise, nor did it in any way give the right to the franchise to any class not now entitled by law to possess it. It solely sought to remove difficulties arising from the practice common in some towns of the owner of premises paying the rate, which at present, owing to oversight in the law, prevented persons from getting upon the register. The means by which he sought to effect that purpose was machinery which had been employed to remedy analogous and similar difficulties which at one time stood in the way of persons entitled to the franchise in England, but which had been removed. As a matter of fact, this was a Bill for the assimilation of the law as between Ireland and England. Since the Act passed in the year

1850 regulating the qualification and registration of voters in Ireland, persons in boroughs, cities, and towns occupying rated premises of £8 yearly value had been entitled to vote. By the 2nd section of the Act it was provided that the clerk of the Union should transmit to the town clerk in each borough, city, and town a list of persons rated as owners or occupiers of premises of that value. By the next section the town clerk was required to make out a list of persons entitled to vote, and one of the qualifications necessary to entitle a person to be put upon the register in any particular year was that before the previous July, he should have paid all the poor rates payable on the 1st of January in that year. Persons who by any accident were omitted from the list of voters were given, by the 34th section, the power to make a claim to be put upon the list; but the difficulties in the way of establishing the right were numerous; and under Section 100, the claimant was bound not merely to pay the certified and ascertained amount of taxes due to the 1st January, but he was bound to pay all poor rates due to the time he made his claim, and it might be difficult for him to ascertain the exact amount. That in itself was sufficient to place the claimant at a great disadvantage; but, in addition, he was bound to comply directly with the propriety of formalities and regulations. The claim must be in writing, and signed by the claimant himself, and he was bound, step by step, to prove his claim affirmatively. In 1868 there came the Irish Reform Act, which gave the franchise in towns to all persons who occupied premises of the rated value of over £4, and declared that the occupation of land, &c., rated over that amount should be as effectual to qualify a man to be registered as a voter as was the old £8 franchise, and the introduction of the word "occupation" showed that the case was contemplated of occupiers whose rates were paid by their landlords. *Primâ facie,* the law stood thus—the occupying tenant was liable for the rates under the Irish law, but if the collector got them from the owner, that was enough under the Act to entitle the occupier to the franchise. In certain towns the arrangement by which the owner paid the rates was very general. In Dublin, in five cases out of six, of a large class of houses, it was the rule for the rates to be paid in the first instance by the owners, when, of course, they were ultimately paid by the occupiers. It was necessary that the rates should be paid in proper time—namely, the 1st of July, or the franchise was gone, and in some cases the landlords would neglect to pay. Usually in Ireland the landlord was of one way of thinking politically, and the occupier another; and though the differences should not often lead to feelings of hostility between them, they made the landlord more or less indifferent to the payment of the rates which would secure the franchise to the occupier. Then, again, the landlord paying the rate was not bound to return the name of the occupier for whom he paid it, nor was the collector bound to ask for it, and thus, in many cases, the occupier did not find his name upon the rate book. Now, about as soon as the occupier discovered that the rate had been neglected to be paid, he could come forward and pay it; but the proper time for paying having passed, he would be reduced to the necessity of making a claim and facing the difficulties of that process. In many cases the occupier would take for granted that the owner had paid, and would only find out when it was too late that the rates were unpaid. The best way to show the effect of this state of things upon the borough franchise in Ireland was to refer to a Return made in 1874, upon the Motion of the senior Member for Limerick (Mr. Butt). The Return showed that in the town of Belfast there were 25,704 premises rated at over £4, while there were only 14,990 occupiers registered to vote. In Cork town there were 7,190 premises rated at over £4, and only 3,737 votes. In Limerick there were 3,200 such premises, and 2,161 registered occupiers. And in Dublin the premises rated at over £4 numbered 23,247, and the registered occupiers 11,000, or less than half. The English Reform Act, passed in 1867, abolished, as they all knew, what was known as the "compound householder." In cases where one man was the landlord of a number of small tenements, the local authorities did not care to go to the trouble to collect the rates from all the occupiers, but agreed with the landlord that he should pay the rates, some deduction being made from the amount to compensate him. The Ministry of that day were disposed to give household suffrage; but to limit the effect of the measure they said—"It is not enough to be a householder; we shall insist that in addition the rates must be paid not by the landlord, but by the occupier." From the Opposition side of the House there came a Motion to give the compound householder a vote, notwithstanding that the rates were paid by his landlord; but the attempt was defeated, and the Ministry of the day stuck to the principle that there should be personal payment of rates in order to give a man the right to vote. The opponents of that principle adopted another plan by which they proposed to abolish the compound householder, and compel everybody to pay his rates personally. That was adopted by the Government, and thus the Bill gave what was practically household suffrage. The Government of that day went out of Office, and the Liberal Party came in. Meanwhile, great dissatisfaction had been felt by the local authorities and the ratepayers at the abolition of the compound householder, and, in 1869, the right hon. Gentleman the Member for the City of London (Mr. Goschen) introduced his Assessed Rates Bill to supply machinery to remedy the defects which had arisen in England with regard to the registration of voters. That machinery he (Mr. O'Shaughnessy) now proposed should be applied to Ireland. The Assessed Rates Act restored the power of compounding, and, at the same time, secured to the tenant whose rates were paid by the landlord the right to vote; but then came the danger, which had assumed a serious aspect in Ireland, that as a consequence of the local authority coming into contact only with the owner, the occupier would not find his name upon the rate book, and would lose his vote. The Bill of the right hon. Gentleman the Member for the City of London provided machinery by which the occupier whose rates were paid by his landlord had secured to him that his name should be placed on the register of voters. That Act was the 32 & 33 *Vict.* c. 41, and it was meant not merely to meet the case of payment by the owner which arose under the compounding system, but all cases where the owner paid the rates instead of the occupier. If it had been confined to the compound householder, it might have been said that the analogy to the case of Ireland was imperfect; but it went much further, and provided a remedy in all cases where the owner, by agreement, was an occupier, and paid the rates; and when the right of the occupier to appeal upon the list was thereby endangered, Section 7 of the Bill declared that any payment of rates by the occupier, notwithstanding that the amount might be deducted from his rent, and any payment by the owner should be deemed a payment of full rate by the occupier, for the purpose of any qualification for the franchise. By the 8th section, if the owner omitted to pay the rate, the occupier might deduct it from his rent, and Section 9 made the owner liable to a penalty if he failed to give the list of the occupiers to the overseers. The next section provided that notice should be given to the occupier of the rates in arrear, and the 19th, which was the most important, required the overseer to insert the names of all the occupiers in the rate book, which was the foundation of the register of the franchise. Some of the clauses of the Bill were restricted in terms to the compound householders, but these clauses which he proposed to engraft upon the Irish law were perfectly general. He wished by the present Bill to apply the same law to Ireland, and to prevent men whom the law declared to be entitled to the franchise being hindered from getting it in that country through the want of the excellent provisions now contained in the English enactments. He had, therefore, endeavoured in this measure to carry out the principles of the English legislation on that subject. His Bill provided that all poor rates should be deemed to be payable by the actual occupier when made, the immediate lessor, however, where now liable, to continue still to be so; that where the owner omitted to pay the rates, the occupier paying the same should be empowered to deduct the amount from the rent; that every payment of a rate by the occupier, although then deducted, and every payment of a rate by the owner should be a constructive payment by the occupier for the purposes of any rating qualification for the franchise; and that when the rates remained unpaid they should be demanded from the occupiers. Doubts having arisen as to whether occupiers of weekly or monthly tenements should be entitled to vote, the Bill proposed to enact that such persons were not to be excluded from the franchise. It had been said that these questions of electoral reform were regarded with great apathy by the Irish people; but that was due to a want of belief in the readiness of the House of Commons to comply with their just demands, and they had seen that apathy give way when a question arose which excited strong popular feeling. By passing that measure, the House would do something towards allaying those feelings of apathy and distrust. People in that country would not hold meetings on matters of that kind. They had seen so many Bills thrown out and Petitions rejected, that they did not believe in praying the House for reforms connected with the franchise. Beyond that, he would admit that it was impossible to get up Petitions unless they had a paid and organized body to prepare them. In the case of the constituency he represented, a vacancy occurred, and a candidate of excellent position and ability, and of local connection, was spoken of, and would have been returned, but that a strong voice of popular feeling had sprung into existence, and everybody, voters and non-voters, determined that a man vitally connected with that voice should be returned instead of a member of one of the great English Parties. The hon. and learned Gentleman to whom he referred was, on that occasion, owing to the irresistible force of the popular feeling, returned without opposition; but he had since stood a contest, and been at the head of the poll. It was advisable, on such occasions, to lessen excitement as much as possible, and to encourage strictly constitutional action. That object could be best accomplished by removing the obstacles in the way of hundreds and thousands of men in the towns of Ireland who were legally entitled to be put upon the list of voters, but who were hindered from getting their names upon the register by the difficulties which stood in the way. On very just, reasonable, and constitutional grounds, it was advisable that those difficulties which had been swept away in England should be removed in Ireland also, and, accordingly, he asked the House to agree to the second reading of the Bill which he had brought under their notice.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. O'Shaughnessy.*)

MR. MULHOLLAND, in moving, as an Amendment, that the Bill be read a second time that day six months, said, that he would not occupy the time of the House very long in showing that it ought to be rejected. He would admit that it had been brought forward in a very moderate way; but, nevertheless, it was very difficult to reconcile some of the statements which had been made with his (Mr. Mulholland's) experience. This question had been brought before the House on several previous occasions, and it had appeared in a different form and under a different name. In the first year of this Parliament, for instance, it came up as a part of the Borough Franchise Bill. That Bill was rejected a week ago. He imagined that the object of bringing forward this Bill at the present time was to get the House to commit itself indirectly to the approval of the principles of the Bill which a week since had been rejected. If that Bill had passed, there would then have been some meaning in producing this Bill; but he contended that with the rejection of the Borough Franchise Bill the necessity for this Bill disappeared. The Mover of this Bill had said that it was intended to remove the disqualifications which existed, and which prevented persons so entitled from being on the register; but, in his (Mr. Mulholland's) opinion, the Bill dealt altogether, from the beginning to the end, with persons not entitled to be on the register; and he entirely denied that there were any persons in Ireland entitled to appear on that register who were prevented from being so by any peculiarities of the law of rating, if they so desired. The Reform Acts of 1867 and 1868 settled the franchise on its present basis. In both of those Acts, the principle by which the borough franchise was regulated in England and Ireland was exactly the same. In both countries that principle was, that the franchise was only to be extended to those who paid the poor rates directly; but there was a radical difference between the Poor Law system of the two countries. In England, the principle of direct personal rating always lay at the foundation of the Poor Law. In Ireland, on the contrary, the large fringe of semi-pauperism which existed was taken into account, and it was felt that it would be absurd to tax, for the support of others, the large class who were themselves bordering on pauperism. A line was therefore drawn below which the occupier of houses should not only not be liable for poor rates, but the landlord was expressly prohibited from recovering them directly or indirectly; and that line was fixed at £4. The legislation of 1867 and 1868 was followed up by registration enactments, which most effectually provided, by officers appointed for the purpose, for the appearance on the rate book in Ireland of the name of every occupier rated at over £4. He denied that there was in Ireland anything approaching to the English system of composition for rates. The circumstances of the two countries in that respect not being at all analogous, they could have no uniformity—any uniformity would be in the letter only and not in the spirit—were they simply to copy the clauses of an Act suitable for England, but wholly unsuitable for Ireland. If the present Bill were passed, it could only apply to occupiers under £4, who were not entitled to the franchise. The Bill had appeared before the House under four different titles—the Borough Franchise Bill, the Voters (Ireland) Bill, the Town Rating Bill, and now the Rating of Towns Bill. Such attempts at concealment of identity looked, to say the least of it, very suspicious. Why should the title be changed on every occasion but to conceal the real character of the Bill? He hoped the House would not allow the law of rating in Ireland to be unsettled—directly, as was attempted by the Bill of last Wednesday, or indirectly, by the present Bill; but that it would adhere to its determination expressed last week, and reject it, in accordance with the Motion he now made.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Mulholland.*)

Question proposed, "That the word 'now' stand part of the Question."

Sir CHARLES W. DILKE said, the hon. Member who had just addressed

the House (Mr. Mulholland) had asserted that there was no demand in Ireland for this Bill, and that no persons were deprived of the franchise in consequence of the existing state of the law. For his own part, he was ignorant of the law of Ireland on the subject; but it certainly appeared to him that the hon. and learned Member for Limerick (Mr. O'Shaughnessy) had made out a *primâ facie* case, which called for a reply. The hon. Member for Downpatrick (Mr. Mulholland) had not supplied any answer; and it was to be regretted that he had not left the opposition, in the first instance, to the hon. and learned Member for the University of Dublin (Mr. Plunket), who would have informed the House what the law in Ireland really was. Neither could it be said that the hon. Member had displayed any correct knowledge as to what was the law in England under Goschen's Act of 1869. That Act was undoubtedly intended to be of general application, but its operation had practically been limited by the decision of the Court of Common Pleas in the case of "Cross *v.* Allsop." In that case, the Act had been held not to be of universal application, but only to apply to the old class of compound householders. His hon. and learned Friend the Member for Limerick was, therefore, not right in supposing that the Act of 1869 completely met all the difficulties existing in England, for there were many persons entitled to be on the register in England who were still left out. There was great need for legislation in England to clear up the anomalies that existed on the subject, and if the Government should think it necessary to make any inquiry into the state of things existing in Ireland, he hoped that inquiry would be extended to England also. The hon. and learned Member for Limerick had shown that there was a large class of the poorer ratepayers who in England were enfranchised under Goschen's Act who did not get placed on the register in Ireland. That was a matter which deserved consideration, and he regretted that the Bill intended to deal with the subject had been met by mere opposition.

Mr. BRUEN pointed out that the object of the English Act of 1869 was altogether different from that which the hon. and learned Member for Limerick (Mr. O'Shaughnessy) proposed to attain by this Bill. It had been copied from an English Act, passed to remedy certain grievances, and meant to re-introduce a certain state of things which had before existed in England. On the contrary, such a state of things had never existed in Ireland, and the present Bill was altogether a mistake. Its Preamble stated that it frequently happened that persons entitled to the franchise were practically disfranchised by reason of their names not appearing on the rate book, and the 2nd clause found a remedy for this evil. Now, as a matter of fact, the grievance did not exist, and in every borough in Ireland—except Dublin—in accordance with the provisions of the Poor Law, the rate books had a column in which the name of the occupier was inserted. The hon. and learned Member for Limerick thought that a £4 occupier who was liable to pay rates and who did not pay them should, nevertheless, be allowed to have the franchise. The law was the same in all the Parliamentary cities and boroughs of Ireland, except Dublin. The Parliamentary franchise depended on certain conditions, among which were that a person must have been an occupier for twelve months, of premises rated at a value of more than £4, and it seemed to be assumed by those who copied the Bill from the Act for England, that the occupier was not liable for the rates; but the Irish law made every occupier of premises above £4 rateable value liable to be rated and to pay the rates. In Dublin, however, the law was different, for the Act of 12 & 13 *Vict.* c. 91, provided that, instead of the rate book in Dublin being made out by the Poor Law authorities, it should be made out by the Collector General of Rates, and also that in the case of all premises between £4 and £8 valuation, the lessor should be rated instead of the occupier. It was said that as far as the poor rates were concerned, this provision had been repealed, and consequently all persons now occupying premises rated above £4 ought to be put on the rate book. He believed, however, that the Collector General, with the best intentions, acted on the opinion that he ought not to put on the rate book weekly and monthly tenants. Whether that was the legal course or not, he would not say; but the result undoubtedly was that in Dublin some persons were not mentioned in the rate book whose names ought to appear there. Still, there was a remedy for this state of things, because the persons aggrieved might claim to be rated and registered, and it could not with justice be said that any person was deprived of the franchise. That point was clearly established by the Committee which, during the last few years, had inquired into the subject of Local Taxation and the Government of Towns in Ireland. The real cause why there existed a discrepancy between the number of persons on the register and the number of tenements was that persons who ought to pay rates neglected to do so. He had an authority for the statement in an editorial article in *The Freeman's Journal* of June, 1875, calling on the Liberal ratepayers to pay their rates in order not to lose the franchise, and complaining of their scandalous neglect in not thus qualifying themselves. *The Freeman's Journal* was generally accepted as a fair exponent of public opinion in the Liberal Party, and no doubt the reason for the discrepancy was the true one. With regard to the municipal franchise, the state of affairs was much more complicated; because, in Ireland, there were a great number of different franchises. This subject was under the consideration of a Committee which had been sitting for two years. The labours of that Committee would be brought to a close in the course of a very few days; and he believed the majority, if not the whole of its Members, would report in favour of such an adjustment of the laws as would remove the great differences and discrepancies which at present existed in the municipal franchise in Ireland. With regard to all places in Ireland, except Dublin, there was no ground for the assertion that persons entitled to the municipal franchise were deprived of it by any of the alleged grievances which the present Bill sought to remedy. He desired to call attention to the fact that, with the exception of one or two words, the Bill was precisely the same as another measure—the Voters (Ireland) Bill —which it was proposed to bring under the consideration of the House to-day. This, he maintained, was an evasion of the rule which had been laid down by the Speaker, to the effect that if the same Bill were proposed by two hon. Members, and where both hon. Members put down their names in order to obtain a double chance in the ballot at the commencement of the Session, such a proceeding was not fair to other hon. Members, nor in accordance with the Rules of the House. He submitted that that ruling had been evaded in the present instance.

Sir JOSEPH M'KENNA rose to Order. He did not think the hon. Member for Carlow (Mr. Bruen) was in Order in speaking of the merits or demerits of a Bill which was to come on for discussion at a later part of the day.

Mr. SPEAKER said, the hon. Member for Carlow (Mr. Bruen) was appealing to the Chair on a point of Order. The hon. Member, as he understood him, had simply called his (Mr. Speaker's) attention to the fact that there were on the Order Book of the Day two Bills which were identically the same. If the statement of the hon. Member for Carlow were accurate, he was bound to say that the proceeding he had described was irregular; and, whatever course the House might take with reference to the present Bill, the other Bill, if in identical terms, should certainly be withdrawn.

Sir JOSEPH M'KENNA said, that as far as he was aware, there was no Bill which was identical with the measure now under consideration.

Mr. BRUEN said, he had merely drawn attention to the fact that the Bill was substantially the same, with the exception of a few words, as another Bill which stood upon the Paper. He was quite satisfied with the ruling of the right hon. Gentleman with regard to the matter.

Mr. O'SHAUGHNESSY said, he wished to explain. The hon. Gentleman the Member for Carlow (Mr. Bruen), regarding the appearance of the two Bills, had very naturally thought that at first sight they raised the supposition that his hon. Friend the Member for Youghal (Sir Joseph M'Kenna) and himself had balloted for the purpose of giving themselves a double chance of bringing on the two Bills. He desired to say that they did nothing of the kind. Until to-day he was not aware that the Bill of the hon. Member for Youghal stood on the Order Book. During the last few minutes the hon. Member for Youghal had denied that his Bill was identical with his own, and that was the best proof that there had been no collusion between them, and that there had been no un-Parliamentary arrangement between his hon. Friend and himself. It was a purely accidental coincidence, at which they were both equally surprised.

Sir JOSEPH M'KENNA said, that what his hon. and learned Friend the Member for Limerick (Mr. O'Shaughnessy) had stated was perfectly true. When he found that the two measures were nearly identical, he took care that they should both be put down for the same day, so that the House should not be called upon to discuss the same question twice over. Therefore, he and his hon. Friend had done their best to obviate any difficulty which might arise from a certain amount of accidental coincidence. Addressing himself to the Bill now under consideration, undoubtedly it was a Reform Bill in its way, proposing, as it did, to enfranchise large numbers of persons who, if not resident in Ireland, but in England, would enjoy votes; but he contended that it did not attack any principle they were bound to protect. Its object, therefore, must recommend it to the House. If, as had been alleged, it would be practically inoperative because there were no persons who would be enfranchised by its technical provisions, this difficulty might be easily met when the second reading was passed and the Bill got into Committee. He would admit that it was intended to enfranchise a class who were now excluded; but he believed it would be for the interests of the Empire that the class entitled to the franchise should be very considerably enlarged, as it was of advantage to diminish the number of the mob by adding to the number of those entitled to possess civil rights. He denied that those who opposed the Bill were acting in the true interests of the Conservative Party, for it was most desirable to add to the number of those who were interested in the well-being of society. He was not speaking in a Party sense, but in a social and political sense. All persons who had interests at stake in Ireland were Conservative; and, in his opinion, it was the most Conservative principle in the sense in which he spoke, to enlarge the franchise as much as possible, but gradually, and not by taking immense strides any one special time. The Bill was strictly in analogy with the

English Reform Bill, and with the Bill of 1869; and, therefore, he would give it his most hearty support.

MR. PLUNKET said, he should not have addressed the House had not a personal reference been made to him by the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke), who wished to hear from him (Mr. Plunket) a statement as to the law in Ireland on this subject. He had only to say, in reply, that he entirely endorsed the explanation of the Irish law as laid down by the hon. Member for Downpatrick (Mr. Mulholland). He must congratulate the hon. and learned Gentleman the junior Member for Limerick (Mr. O'Shaughnessy) on the clearness with which he had stated his case; but there was one part of it which he had not made out. His hon. and learned Friend had not shown what was the necessity for coming to the House in such hot haste on this subject — and that not with one Bill, but with two Bills almost identical. It could not be maintained that there had been a single Petition, one public meeting, or any strong expression of opinion through the ordinary channels in favour of the Bill. The House deserved some explanation beyond what had been given for these two Bills being on the Paper to-day. On the back of both Bills was the name of the hon. and learned Gentleman the senior Member for Limerick (Mr. Butt); and though he (Mr. Plunket) might acquit the hon. Member for Youghal (Sir Joseph M'Kenna) of wilfully disregarding the Rules of the House, on the ground alleged by him that he was not aware that the two Bills were the same, or, he supposed, of the contents of either of them, he could not so easily acquit his hon. and learned Friend the senior Member for Limerick. All he could say was that there must be wheels within wheels in the management under which the Irish Members prepared their annual bundle of Bills and placed them in the Order Book of the House; there must be transactions behind the scenes; and there must be a kind of vicarious representation in the fathering of these measures when two Bills were hurled at the head of the House of Commons, identically the same over five or six pages of print, on the same Wednesday. And now a word as to the necessity for the Bill. He did not dispute that, if Parliament had seen fit to sanction household suffrage for Ireland, there would have been a strong case why a Statute affecting rating in Ireland should be passed analogous to the Act of 1869. But the promoters of the Bill had not proved their case. The hon. and learned Member for Limerick was not able to establish any analogy between the case of Ireland, where persons rated under £4 were not entitled to the franchise, and that of England, where there was household suffrage. The whole matter had been considered in 1868, and there were then found sufficient grounds why the franchise in both countries should be placed on a different footing. Not only was the question with which the Bill, so far as it related to the city of Dublin, dealt under the consideration of a Committee upstairs, but a case was pending in the Law Courts in Dublin, in which it would probably receive a legal decision; and he did not think that the House should be called upon to anticipate one way or the other the conclusions which might thus be arrived at. The only object of this Bill was to do that which the House refused to do last Wednesday—namely, to enlarge the borough franchise in Ireland. As no case had been made out for the Bill, he would support the Amendment of the hon. Member for Downpatrick.

MR. MELDON said, it had been stated by an hon. Member on the other side of the House that mis-statements had been made—no doubt, unintentionally—in regard to matters of fact, by hon. Members supporting the Bill. He (Mr. Meldon) must equally protest against the misrepresentations which had been made by the hon. and learned Gentleman the Member for the University of Dublin as to their intentions of promoting the Bill. It was not fair that an Irish Member should stand up and say that the effect of passing a certain measure would be to enlarge the borough franchise, or in any way to carry out the intention of the Borough Franchise Bill which was discussed last Wednesday. He wished it to be distinctly understood that this Bill would not enlarge the franchise to the extent of giving a single man a vote who was not entitled to it at the present moment, and he hoped such a mis-statement would not be repeated. That was not the object of the Bill, and the result of passing it would be to leave the law where it was at the present moment. He must admit that if the argument of the hon. Member for Downpatrick (Mr. Mulholland) was a sound one, the objections he had urged to the Bill would be very formidable, if not fatal. His statement was that the right hon. Member for the City of London (Mr. Goschen's) Bill, of 1869, was intended to apply to the case of the compound householders in Ireland. He (Mr. Meldon) emphatically said that was not so. That Bill was intended to deal with two different classes of ratepayers. It dealt, in the first place, with the compound householder, and was intended to deal with the owners who made agreements with the overseers to pay the rates and get certain allowances for the payment of such rates; but it also was intended to deal with those occupiers who made agreements with the owners that the owners should pay rates. There were no compound householders in Ireland, and they only sought to extend the provisions of the English Acts which applied to other ratepayers outside of the compound householders. They wished to have the law remedied in such a way as to insure that, in cases where the value of the premises was over £4, the occupiers should appear on the rate books. Thus it would only affect those persons whom that law declared to be entitled to the franchise. In the rate books there was a column which ought to be filled up with the name of the occupier; but, as a matter of fact, the Guardians, or those who prepared the rate books, did not see that the column was properly filled up. In a recent election in Dublin for Poor Law Guardians, no less than 300 proxy papers were returned by occupiers who were entitled to the Parliamentary franchise, and every one was rejected, because the name of the persons actually in occupation did not appear on the rate books at all. The measure would not extend the franchise beyond the area of those now entitled to it. It simply provided, by one of its clauses, that the Guardians should be bound to see that the names of the occupiers were inserted in the column provided for the purpose in the existing rate books, under certain penalties as the result of non-compliance with the regulation. Three of the other clauses of the Bill were merely declaratory of what the law in Ireland really was. There was no earthly reason why this act of justice to the whole of Ireland should not be passed, except that a certain class of occupiers in Dublin who were already entitled to the franchise would be admitted to it without inflicting injury upon anyone, and it might be the fears of certain hon. Members who chose to assume that their seats would be endangered. The only other effect of the measure would be to facilitate the collection of rates.

Mr. WHEELHOUSE said, that, looking at this measure, the practical effect of its adoption would be to call upon the owners of tenements in every borough and city in Ireland to pay the rates; while, at the same time, the several franchises would thus be given to the occupiers. He did not say the Parliamentary or municipal franchise, but any franchise that might arise as a consequence of paying rates. Surely, if there were any force in the old adage, that taxation and representation ought to go together, this Bill would cut at the very root of such an arrangement. The measure was very much too wide and sweeping in its character, and, if adopted, would, practically, end in the enfranchisement of every single tenant throughout Ireland for every possible purpose, whether he personally paid a single farthing or not, either to the local burdens or to the Imperial Exchequer. Look at the 6th clause of the Bill, which attempted to provide that—

> "Every payment of a rate by the occupier, notwithstanding that the amount thereof may be deducted from his rent, as herein provided"—[that is, by the tenant from his landlord]—"and every payment of a rate by the owner, whether he is himself rated or is liable to pay the same, or has agreed with the occupier to pay it, shall be deemed a payment of the rate by the occupier for the purpose of any qualification which, as regards rating, depends upon the payment of the poor rate."

A provision which might be broadly said to be without limitation. Hon. Members—if he might venture to say so—took an erroneous view of this question, when they said that there was any analogy between the present state of affairs in England and that sought to be initiated by this Bill with regard to Ireland. As he (Mr. Wheelhouse) understood English legislation on this subject, it was, that where there was any occupation whatever conferring the franchise, the person occupying should be called on to pay the rates, if, as the consequence, or, as he might almost term it, the reward, for the payment of the rates, he received the franchise. It had been said that in Dublin 1,000 votes were lost last year, and that the present Bill would remedy this state of things. If the overseers, or county clerks, or officers, did not now do their duty, had they any reason to suppose that they would perform that duty, even though the non-performance was to be followed by a penalty? While he did not believe very much, if at all, in penalties in regard to civil legislation, and especially for such a purpose as this, he would ask, what were the agents of the several parties about to allow of such a large leakage? But, however that might be, surely the Legislature was not to be blamed, because some overseers had not seen fit to do their duty. If such a state of matters did exist, would it be very difficult to obtain, from the Government for the time being in Ireland, some such order as would be issued, under similar circumstances, from the English Local Government Board, compelling the overseers, or others charged with the duty entrusted to them, to carry it out, and to enter the necessary information on the books. Again, they had been told that the Bill was to be of no earthly service in reference to the franchise, and that it would not enfranchise one single individual. If not, why was it brought in, and pressed forward? The truth was, he could not agree with that idea, and he hoped the measure would not be accepted by the House. What was the object the promoters had in view? If, as he apprehended, it was to give any franchise to those who, according to his contention, had no right to receive and exercise it, then it was not merely useless, but it was one which ought not to be allowed to pass. Looking at it from every point of view, it was absolutely incorrect to allege that there was any analogy between the legislation now proposed and that which affected England at this moment. Surely, it could not be at all successfully contended that the Bill had no object whatever in view? If it were thought desirable to remove some anomalies which affected the city of Dublin, that might be done by a short Local Bill; but to attempt to legislate for the whole of Ireland, merely because something might demand a local remedy in the Metropolis, was to ask for far more than was reasonable; and he could not help repeating that, so far as he could see, the main, if not the only, object of this Bill was to confer some franchise, generally, upon those who ought not to have it, and he, therefore, must oppose the measure.

MR. LAW said, he had listened with attention to the observations of the hon. and learned Member who had just spoken (Mr. Wheelhouse), but must say that he had heard no argument which, in his opinion, should induce the House to reject the measure. He believed that the Bill would redress a substantial grievance, and enable a number of householders to appear upon the register who, as the law now stood, although really entitled to the franchise, did not enjoy it. By the 1st clause it was proposed that the local Poor Law authorities should be forced, by the imposition of a penalty, to insert the name of every occupier in the rate book; as they were already directed to do. The hon. and learned Member for Leeds said that this duty was either a right thing to enforce, or it was not. If it were a right thing to enforce, as the promoters of this Bill contended, why, he asked, was it not done? Well, the answer was, because there were no adequate or ready means of enforcing the duty. The hon. and learned Member, however, protested against there being any efficacy in a penalty. Now, there he (Mr. Law) ventured to differ altogether from his hon. and learned Friend. Let the House just consider the matter for a moment. By the law, as it now stood in Ireland, and as it did stand in England prior to the Act of 1869, it was the duty of the local Poor Law authorities to insert the name of the occupier in a column of the rate book specially provided for that purpose. It was a duty cast upon the overseers in England, as it was on the Guardians in Ireland; but, like many other duties nominally imposed by the law, there were no ready means of enforcing it. Accordingly, in England, when the occupation franchise became a substantial question after the passing of the Reform Act of 1867, and it was found at the end of the next year that the obligation to fill in the name of the occupier was, in many instances, not performed, the Legislature immediately provided, by the 19th section of the Act of 1869, that a penalty of 40*s.* for every name omitted should be imposed on the local authorities who did not in this respect perform their duty. Now, unlike the hon. and learned Member for Leeds, he (Mr. Law) had great faith in the persuasive efficacy of a penalty like that in making officials do their duty. If, as suggested, it would be of no value in Ireland, why, he (Mr. Law) asked, was such a provision made for England; and that, as he was told, without a dissentient voice? It evidently was thought by Parliament that here, at least, it would be desirable to impose a penalty on such overseers as did not perform their duty; and was it a very extravagant thing on the part of Irish Members to ask that the same means should be tried in Ireland in order to insure that the name of the occupier, which ought to be on the rate book, should appear there? The next clause of the Bill proposed to give certain facilities for the performance of this duty—facilities which were provided in England but not in Ireland—by requiring the owners of houses who paid the rates to furnish the guardians with the names of the occupiers, in order that the rate book might be completed. In other words, the object of the clause was to assist the local authorities towards doing their duty by furnishing them with the means of inserting on the rate book the names which everybody admitted ought to be there. But then the hon. and learned Member for Leeds made a sweeping assertion in regard to the 6th clause, which dealt with the constructive payment of rates. He said this clause would have the effect of giving the franchise to a great number of persons who otherwise would not be entitled to it. If he (Mr. Law) thought that such would be its effect, he would not regard the measure as entitled to the same favourable consideration from the House as he now submitted it was; for hon. Members might not unnaturally think that any extension of the franchise under which they were elected should be proposed as a distinct and substantive measure. But, in the first place, the Preamble of the Bill showed that it proposed to deal only with those already entitled to the franchise, whilst its promoters disclaimed having any such object as the hon. and learned Gentleman would impute to them; and, in the next place, he (Mr. Law) failed to see that the clause in question would have the effect alleged. He ventured, indeed, to doubt whether the hon. and learned Member for Leeds had read the clause, or, at least, whether he had compared it with the clause in the English Act, from which it had been copied. It merely sought to provide that the occupier, who was otherwise qualified to have a vote, should be entitled thereto whether he or his landlord paid the rates. It was taken, in fact, word for word from the 7th clause of the English Act of 1869; and he (Mr. Law) asked, if it were contended that that clause of the English Act had entitled a number of persons to the franchise who would not otherwise be entitled to it? Surely his hon. and learned Friend would not insist that by the operation of that clause the constituency of Leeds, for example, had been spoiled; and, if not, why should he make the corresponding clause of this Bill the ground of this argument for the total rejection of the measure? Again, a further clause proposed to provide that, instead of general notice posted up somewhere in the town and calling on all occupiers to pay their rates, a special notice should be sent to each person as required here by the 28th section of the Representation of the People Act of 1867. One general notice was originally thought sufficient in England, and, accordingly, having been prescribed by the English Registration Act of 1843, a similar provision was inserted in the Irish Registration Act of 1850. In England, however, experience showed that this general notice was insufficient for its purpose; and, therefore, a separate personal notice to each rated occupier was required by the Act of 1867. And now, when it was proposed to make a similar improvement in the law relating to the Registration of Voters in Ireland, by copying the latest provision of the English law on the subject, hon. and hon. and learned Members opposite objected to such a measure. Did it not, then, in effect, come to this—that, whereas in England everything was done to facilitate the enjoyment of the franchise by all those who were really entitled to it, yet, in the case of Ireland, it was sought to withhold all such facilities? Was that, he (Mr. Law) would earnestly ask, a wise, or expedient, or a just course to pursue? He could not, he confessed, see any reasonableness in the objections to the Bill which had been presented to the House. The measure, if passed, would merely enable persons presumably entitled to the franchise to have it, and, as he could not understand why its adoption should be objected to, he should vote for the second reading.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, that, on the part of the Government, he entirely concurred in the view that no person in the community should desire to interfere with the fair exercise of the franchise by any person entitled to it. He would admit that fully and frankly. No case, however, in his opinion, had been made out by the promoters of the Bill that any substantial inconvenience had existed, or did exist, with regard to those who were justly entitled to the franchise. The principal portions of the Bill were originally contained in the Borough Franchise Bill, to which they were properly germane, and it was somewhat inopportune, as the Borough Franchise Bill had not passed, but had been rejected, now to ask the House to pass a series of clauses which were only suited to a state of things that no longer existed. It seemed to him that by an afterthought, the Bill, passing by altogether the limit of the rating value of £4, provided that all parties in the occupation of any premises of any value, even so low as 5*s*., were to be assumed to be ratepayers. If the Bill became law, he ventured to think that they would be bound to rate every person who was in the occupation of any premises, no matter what the value might be. The whole argument in reference to the Bill was that which was stated very fairly and forcibly by the hon. and learned Gentleman the Member for Limerick (Mr. O'Shaughnessy), in introducing it—that a variety of these clauses were found in an English Act of Parliament. Was that a complete and conclusive argument? The argument of the hon. Member for Downpatrick (Mr. Mulholland) on that point was entitled to very great weight; because he pointed out that the English Act of Parliament, which was referred to in the margin of the Bill, was passed to meet an entirely different set of facts and circumstances. He had failed to hear any real substantial exception taken by way of argument to the proposition of the hon. Member for Downpatrick; and, for the reasons he had referred to, he was unable to assent to the second reading of the Bill. So far as the Bill dealt with the existing franchise, no case had been made out; and so far as it referred to a franchise which had been rejected, the Bill was entirely unnecessary.

MR. BIGGAR said, that in no circumstance would the Bill have the effect which had been so erroneously attributed to it—of unduly extending the franchise. Its only effect would be to remedy a great and patent injustice, for there were many cases in which rates were paid by landlords in respect of holdings between £4 and £8 in value, and occupiers were entitled to appear on the rate book; but their names were omitted through the negligence of the rate collector, and all the Bill would do would be to impose on the collector a penalty for the neglect of duty. In Belfast alone, only about three-fifths of the persons in the borough entitled to vote were to be found on the register. If those persons were placed on it, the opposite side of the House need have no dread, as he had no doubt that Belfast then, as now, would continue to return two Conservatives.

MR. MACARTNEY said, it had been stated that the object of the Bill was to give the franchise to those persons who had been unjustly deprived of it. If the class it was proposed to admit were the only class excluded, he should think that a very excellent case; but there were inequalities in other directions, and it was forgotten that an intelligent class of people, who owned very considerable property in towns, as owners had no votes unless they were resident occupiers, and it would be an anomaly to leave them without the franchise while enfranchising the improvident occupiers who did not pay their own rates. He regarded it as a very dangerous thing to confer too much power upon an unintelligent and improvident, though it might be an industrious, class of people. The Bill attached a penalty to an owner's refusal to furnish a list of occupiers, and he was afraid the penalty would be incurred in view of a Parliamentary Election, and thus lead to disputed Returns. At a time when Communism was so rife in the United States, Russia, and Germany, the House ought to hesitate before it admitted to the franchise in Ireland the class possessing the least intelligence, least property, and the least ability. The Bill was open to objection in other directions, and he trusted the House would not give it a second reading. He could not support a Bill which would confer on a class who could not afford to pay taxes the right of exercising the franchise.

Mr. MURPHY supported the Bill, remarking that the cardinal principle of the Bill of 1868 was that every possible facility should be given to enable electors to be placed on the register with as little trouble as possible. The executive officials had failed to carry out that Act, and the present Bill was to give facilities for the carrying out of the intentions of the Legislature when they passed the Bill of 1868. Either a man was entitled to be on the register, or he was not. If he had a title to the franchise, it was very requisite that he should be placed on the register with as little inconvenience as possible. At every registration there were many Party contests, owing to the neglect of officers to furnish complete lists, the persons whose names were omitted having to establish their claims at their own expense. In this respect, the machinery of the Reform Bill was not self-acting, as it was intended to be, and the objections of the last speaker to an extension of the franchise did not apply to the Bill, because it would affect only those whom Parliament had intended to enjoy the existing franchise.

Mr. O'CLERY refuted the statements of the hon. Member for Tyrone (Mr. Macartney), who had hinted, as his great reason for opposing the Bill, that he feared a spreading of Communistic principles amongst the people. The hon. Member for Tyrone had over and over again in that House struck against his own country—he would not say his own people, because they were not his people—but he never struck at them more keenly than he had done now——

Mr. MACARTNEY: I rise to Order. Is an hon. Member entitled to say of another hon. Member — "He has often struck against his own country—I will not say his own people?"

Mr. O'CLERY went on to say that Ireland needed no defence against charges of Communism and revolution, as there was no country in the world which had evinced a greater spirit of hostility to anything like Continental Communism than Ireland. The National Members in that House were very often met by the remark — "Oh, we intend to give you local government." This was a Bill which aimed at local government in the direction of an extension of the franchise, yet Parliament evinced no desire to give it a second reading.

Mr. J. LOWTHER said, that before the House was called upon to make an alteration in the law, the necessity for that alteration ought to be clearly proved; but he felt justified in saying that no proof had been given of there being any strong feeling in Ireland in favour of a measure of this kind. It had been said that the Act known as Goschen's Act, passed in 1869, conferred upon occupiers in England privileges from which similar occupiers in Ireland were debarred. The hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) stated, as his reason for supporting the Bill, that he was desirous to concede to Ireland the privileges accorded to England; and it seemed that this argument did no doubt influence a great number of hon. Members on the other side of the House, so that week after week they had Bills brought on ostensibly with the object of assimilating the law of Ireland to that in England. No doubt, that was a plausible ground on which to obtain the support of hon. Gentlemen representing Liberal constituencies in England. He knew, indeed, that many hon. Members opposite had intimated their intention to support all Irish measures framed in that spirit; but he thought it would be only right to consider whether the circumstances of the two countries were identical in respect to the matter with regard to which it was proposed to legislate. It was customary on other occasions to say that Ireland was so different a country from England that legislation must proceed with the two countries in quite different directions. Irish Members were constantly telling the House that it was unfair and unstatesmanlike to judge Irish questions from an English point of view. They were constantly informing the House that Irish matters must be judged from a standpoint of their own. If that were so, then before Irish Members could come to that House and ask them to extend to Ireland the legislation for England, they must show the House, as had been pointed out by his right hon. and learned Friend the Attorney General for Ireland, that the state of circumstances in the two countries was the same. Now, it seemed to him that the argument of his hon. Friend the Member for Downpatrick (Mr. Mulholland), showed that this was not so in the present case. His hon. Friend had stated that there was no substantial grievance, and that no person in Ireland was debarred from the franchise by the state of the law applicable to rating. Now, he (Mr. Lowther) did not want to open up the compound householder question, because he agreed with hon. Members in deprecating obstruction to the acquisition of the franchise by what he had, in 1867, in this House ventured to stigmatize as the miserable ventured technicalities of rating. He had always said that if a voter were entitled to the franchise, he should have his right in full, and should not be shut out by a side-wind. He did not go back from that; and if hon. Gentlemen could prove that ratepayers entitled to the franchise were debarred by technicalities, that might make out a case for the Bill which had not hitherto been done. Clause 6 of the Bill certainly went far beyond its avowed object. He certainly hoped that the hon. and learned Member for Limerick (Mr. O'Shaughnessy) would be prepared with some answer to the case that had been made on that point; but he (Mr. Lowther) thought that he was justified in saying that the law in Ireland in regard to rating was essentially different to that in England, and that the circumstances which rendered it necessary to pass the English Act of 1869 did not exist in Ireland. Therefore, the somewhat plausible pretext argued in favour of the Bill, that they ought to extend to Ireland the law already existing in England, did not hold good. He hoped the House would not be led into another of these Reform Bills for Ireland—of which they had already had too many samples. They had disposed last week of what might be called the head of this question—the main measure. They had determined that the question of Parliamentary Reform, as far as Ireland was concerned, was not ripe for discussion, and he therefore hoped that the House would not assent to the Bill.

MR. O'SHAUGHNESSY, in reply, said, that the object of the Bill was not an alteration of the law, so as to extend the franchise in Ireland, but to give the vote to those who were at present entitled to it, but who were now prevented from obtaining it by the law of rating; and what the right hon. Gentleman said virtually was, that Irish voters should not be enabled to exercise the franchise nominally conferred upon them by the Act of 1869. He must say that the remarks of the right hon. Gentleman seemed to be dictated by a regard to what the Government considered a wise economy of the time of the House than by a regard for the merits of the Bill. The Returns which he (Mr. O'Shaughnessy) had cited proved conclusively that persons at present entitled to the franchise in Ireland were excluded by the law of rating as it stood at present, the number in Dublin alone being 1,500. The first three clauses were absolutely requisite to give the same facilities for the acquisition of the franchise in Ireland as existed in England; but he should not object to the omission of the 4th and 5th clauses.

Question put.

The House *divided*:—Ayes 177; Noes 224: Majority 47.—(Div. List, No.144.)

Words *added*.

Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for six months.

CONTAGIOUS DISEASES ACTS REPEAL BILL—[BILL 59.]

(*Sir Harcourt Johnstone, Mr. Stansfeld, Mr. Whitbread, Mr. Mundella.*)

SECOND READING.

Order for Second Reading read.

MR. HOPWOOD: Mr. Speaker, I have a Petition to present from certain Ministers of the Church of England, and of various Denominations in Portsmouth, calling attention to statements made in the Report of the police charged with carrying out the provisions of the Contagious Diseases Acts in that town, and the surrounding district. The Petitioners allege that the police have stated in their Report that only 11 prostitutes under the age of 17 are to be found in those places, and that there is only a gross total of 530 of all ages plying their avocation therein. To that statement the Petitioners desire to give their unqualified denial, and to state that, in their view, the Contagious Diseases Acts have a debasing and hardening effect on the women who are submitted to their operation, and they pray that the House will forthwith repeal those Acts.

SIR HARCOURT JOHNSTONE, in rising to move that the Bill be now read the second time, said: Mr. Speaker, I can assure the House——

MR. CHILDERS: Before the hon. Baronet addresses the House, perhaps I may be allowed to interpose by presenting a somewhat remarkable series of Petitions, with which I have been entrusted, on the subject of this Bill. These Petitions, Sir, are exactly 100 in number, and in them are embodied the views of gentlemen of all kinds of professions. They are signed by 446 clergymen resident in London, by the Cardinal Archbishop, and 116 of the Roman Catholic clergy; by 109 resident members of the Colleges in Oxford, by the Provost and Fellows of Eton, by Professors and others at Cambridge, by 303 barristers-at-law, by medical officers of health, by surgeons, and by other professional men in the country; and their prayer is, that the law may be so amended that a wilful communication of contagious disease may be met by penal consequences.

SIR HARCOURT JOHNSTONE: I can assure the House that it was not from any want of interest in the subject, or lack of conviction as to the objectionable nature of the Acts we are now to discuss, that I refrained last year from bringing the matter under the attention of the House. The attention of those outside the House is steadily increasing with regard to the subject. I am aware that it has been stated that it is easy to manufacture Petitions; but it is evident that the Petition which I have had the honour to present from nearly 114,000 women, does to a great extent testify to the increasing interest taken in the subject, not only by the lower classes in the country, but by those who are in a position above them. The Petition is signed by such ladies as Miss Florence Nightingale, Mrs. Grote, and Mrs. Butler; and, although it may be the fashion of this House to sneer at those women who have deliberately put themselves in a position very painful often to themselves and their relatives, I am bound to say that I consider the extreme necessity of repealing the Acts justifies the line of conduct they have taken. I feel now, that as time is limited, it is impossible for us to expect a full discussion or a division on this question, so that I must ask the House to bear with me at the outset whilst I briefly refer to the last Returns which have been obtained from the Government with regard to the working of the Acts in the several places where they are at present in operation. I had the honour last year of moving for a Return showing the number of cases of disease in Her Majesty's ships and vessels stationed at certain of the Home ports. That Return I have obtained, and if the House will give me its attention for a few minutes, I think I shall be able to show that, as far as concerns the complement of men, a fair comparison can be obtained between ships in the same port, but that it is impossible to say that the Contagious Diseases Acts have produced the effect claimed for them. As to the comparison instituted in this Return between ships in the ports where the Acts are in operation and ships in the ports where they are not, the comparison is not such as any statistician, or any man acquainted with figures, would dream of accepting, because the conclusions are not founded upon any proper method of taking Returns such as we desire. I am ready to state all these facts, if it is necessary, before another Commission or Select Committee; and I will undertake to say that no statistician in Europe, looking at the figures side by side, would ever admit that they bear the interpretation which the Government officials have put upon them. I know there are many hon. Gentlemen in this House who say—"If you could convince us that those Acts are doing no good, we might be disposed to listen to your arguments;" but I do not base my arguments entirely upon Returns. I believe there are greater arguments to be adduced with regard to this question; but to repeat them at this hour would be, I conceive, trifling with the temper of the House, and, therefore, I must confine myself within as brief a compass as possible. With regard to these Returns, I may state that the Government selected their own ports. They did not take the ports which might have been taken, but they took the ports of Dartmouth—with its steady-going *Britannia*—Plymouth, Portsmouth, Queenstown, and Southampton, as their typical cases; and they compare with Dartmouth and Southampton places like Greenock, Hull, Dublin, Leith, and Liverpool; and I think that everybody will at once see that such a comparison is not founded upon anything like a strict equality of circumstances. Let me take the place of Plymouth alone; and I think I shall be able to show the House, in a few sentences, that, as in the case of different regiments to be found in the Government service at Aldershot, so in the large ports in the Kingdom are there circumstances attaching to each particular vessel, which indicate the existence of the disease year after year, and which the operation of the Contagious Diseases Acts does not affect. I will take two ships which, for a time, belonged to the same port. They had the same complement of men, and, in other respects, might be fairly compared. Now, I can show the House that, since 1860 down to the present time, there were continuous circumstances affecting these vessels, which can leave no doubt whatever in the mind of any reasonable man that very much depends upon character, that the disease cannot be looked for like any other ordinary disease that lurks in the hold of the ship, but that the cause of its existence is to be found in the character of the men, as much in the sailors on board a ship as in the soldiers belonging to any regiment in Her Majesty's Service. Now, I will take the Returns as far as Plymouth is concerned. In 1860 there were two ships there, the *Royal Adelaide* and *Wellington*, their complement of men was almost the same —namely, 515 and 565; but disease in the *Royal Adelaide* was 78, in the *Wellington* 30. Then I will take the year 1861, and the ships *Royal Adelaide* and *Impregnable*. The *Royal Adelaide* had a complement of 600, and the *Impregnable* a complement of 615. The *Royal Adelaide* was distinguished for the number of her men who were diseased; the number amounted to 96, while those on the *Impregnable* were only 30. Then I will take 1862, and I find that the cases belonging to the *Impregnable* were reduced to 8, whilst those of the *Royal Adelaide* were no fewer than 226. This shows how disease was of a continuous character on board that unfortunate ship. Then I will take 1863, and the ship *Canopus*. Compared with the *Royal Adelaide*, the *Canopus* had a less complement of men, and yet the number of her men who were invalided by disease was 132, and the *Implacable*, which had the same complement as the *Royal Adelaide*, had but 5 men diseased, and the *Royal Adelaide* 114 men in that condition.

Notice being taken, That Strangers were present.—(*Mr. Arthur Moore.*)

MR. SPEAKER stated, that it was his intention to follow the course which he had previously taken on similar occasions, and forthwith put the Question, "That Strangers be ordered to withdraw?"—The House proceeded to a Division, whereupon Mr. Speaker called upon Mr. Arthur Moore to name a second Teller for the Ayes.—The honourable Member having stated that he was unable to do so, Mr. Speaker declared that the Noes had it.

SIR HARCOURT JOHNSTONE: I now venture to compare, from the figures for the year 1864, the *Cambridge* and *Indus*. The *Cambridge* was a ship with a smaller complement of men, but yet disease in the Cambridge was as 98 compared with 102 in the *Indus*, a ship with 40 per cent more men. Before and after the Acts were put in force at Plymouth, the disease in the *Royal Adelaide* decreased from 114 in 1863 to 41 in 1864 (before the Acts), down to 12 in 1868 (after the Acts); but increased again in 1869 to 36, in 1870 to 144, in 1871 to 248, with 30 per cent larger complement of men, and with 90 per cent more disease. I might go through a series of years, and give the House other comparisons with regard to ships. There is no inflexible law, and you never can depend upon any ships having other than a varying character, owing to the character of their crews; but, in these particular Returns, certain vessels are selected as under the Acts which are really out of the category of those which have disorderly and immoral crews. There is one ship which has notoriously a crew of married men; it is the *Victoria and Albert*, and is taken alongside of the *Asia*, and *Duke of Wellington*, and it certainly is most improper that this ship should be selected by reasonable men as a typical ship. I might say the same of the *Britannia*, quartered in 1870 at Dartmouth, with its regular complement of trained men, which could not be affected by the same circumstances that affect the average of disease in other places. If we are to have Returns such as these, I would rather argue the question before the Statistical Society than before the House of Commons. I know there are some hon. Members who accept all these Returns as facts; as records and tables drawn up by gentlemen in whom implicit confidence should be placed; but I maintain that, although the authenticity of the figures cannot be disputed, in some respects they do not show any connection between the Acts and the absence or presence of disease, or prove conclusively that the operations of the Acts are to be relied upon as sure to produce good sanitary results. With regard to the Army Return, which was delivered this morning, I have also a word to say. There has not been much time to analyze it. I have had some little opportunity of perusing it, but not so much as I should have liked. From what I have seen of it, I must say that it will not bear examination. The stations brought under the Acts, and certain stations not under the Acts, are compared, but not station with station; so that it is impossible to obtain anything like an authoritative percentage from the figures. I know that this is a dry matter, and not of a kind to be brought before the House at this hour of the Sitting, but a great deal of unpleasant feeling has been aroused in the towns where the Acts are in operation, and my object in speaking of the Return just now is, to show to the House that the figures so entirely mix up one station with another of an entirely different character, that it is impossible, on the face of it, to accept the figures for one moment as correct. For instance, in the Army Report, all the stations under the Acts are taken, but only some stations not under the Acts are selected for comparison with them, and if the average amount of disease at all stations is really reckoned, the Government statistics are wrong to the extent of 25 per cent. So much for their statistical value! Then, I wish to mention to the House that the Army doctors themselves have admitted in former Returns—namely, in their Reports of 1873 and of 1875 and 1876, this important fact, which makes those Returns of no value whatever. They admitted that, in 1873, during Mr. Cardwell's time, a new Army Warrant was issued —which punished men for being diseased, and thus induced them to conceal it— under which a state of things sprang up such as invalidated all statistics of disease from that time. I maintain that these Returns are too apt to mislead, as, being stamped with the sign of officialism, they are really taken and accepted as correct by people living in the country. I am ready to lay these figures before a Select Committee of this House, and I will pin my faith to this— that they are not reliable as Government statistics, and they will be disproved at some future period. There is an impression amongst the Members of this House, owing to the weight and strength which is accorded to a Government Return, that the Home Office statistics also are most reliable——

MR. A. MOORE: Mr. Speaker, I rise to Order. I beg to ask if it is competent for a Member to move that the Ladies' Gallery be cleared?

MR. SPEAKER: That is a matter for the House itself to decide; the Gallery is open for ladies, and they are admitted by the order of Members of the House. If any Members of this House have given orders for the admission of ladies to the Gallery, I am not at liberty to interfere with those orders without the consent of the House itself. I wish to point out that the course I have formerly taken, when this question has been brought on, has been to desire the attendant to intimate to ladies who may present themselves for admission, that a discussion of a delicate question is likely to take place, and to put it to them whether they desired to remain or not. I was not aware, indeed, I did not believe, that this Bill would come on today. Had I thought so, I should have taken that course on the present occasion. ["Move!"]

MR. A. MOORE: I beg to move that the Ladies' Gallery be cleared.

MR. C. S. PARKER: I ask, Sir, if it is competent for an hon. Member to move that when another Motion is before the House?

MR. SPEAKER: The hon. Member proposes by his Motion to set aside one of the Regulations of the House, and I should not be justified in putting a Motion of that character to the House without Notice.

SIR HARCOURT JOHNSTONE: The House will observe——

MR. A. MOORE: I beg, Sir, to draw your attention to the fact that there are Strangers in the House.

SIR HARCOURT JOHNSTONE: However desirable this interruption may be in the minds of some hon. Members, there is little time——

MR. SPEAKER: I must point out to the hon. Member for Clonmel that he has already taken that course; the decision of the House has been distinctly declared; and in taking that course a second time he is, I think, trifling with the House.

MR. A. MOORE: It is not my custom to trifle with the dignity of the House at any time, much less is it my wish to do so on the present occasion; but I feel——

MR. SPEAKER: I must remind the hon. Member that he is not in Order.

SIR HARCOURT JOHNSTONE: Sir, I am anxious to say a few words on the subject of the Home Office Returns. The Home Office Returns for years past have been framed on a well-known form. They show that the Metropolitan Police are employed at stations under the Act, and that marvellous power is given to them by the law. I find, to my astonishment, that, year after year, the Metropolitan Police—admirable as they are in keeping order in London—are employed by the State in towns and municipal boroughs, to do that which municipal authorities can do without their aid. We are told that in some of those towns the efforts of the police have been so effectual that they have succeeded in "doing away with numbers of houses of ill-fame" by virtue of the Acts! It would seem from the Reports that the police were competent, not only to suppress brothels, but to reclaim unfortunate women who have strayed from virtue into vice. There are many towns in this Kingdom, especially in the North of England, which protest against these Acts. I am bound to say that their very introduction was a direct interference with the powers and privileges of municipal authorities, and no step has been taken more objectionable than that of allowing the central police to administer the law where there is already local government, administered by and responsible to local authority. The idea of the police being made the special guardians of public morality is of itself so absurd, and the result of their efforts so often contradicted by the officers of the Rescue Society itself, that I need not trouble you with any more remarks upon it at this time. With regard to the diminution of brothels, important evidence was given before the Irish Sunday Closing Committee, last year. It came out that, in the City of Glasgow, where they had no Metropolitan Police, the authorities had succeeded in reducing the number of houses of ill-fame from 204 in the year 1874, to 38 or thereabouts in 1876. Therefore, the argument that the Metropolitan Police alone are doing the work, ought to disappear. With respect to the number of women who are reclaimed and go back to their friends, I should like to know how the police can tell that they go back? How can any man in his senses accept such a statement as that? Many of these women go about with regiments, and how can the police tell always where they live? It is likely enough that, in many cases, women take themselves off, disgusted with the operations of the Act, to another part of the world, and that when they are missed it is assumed by the police that they have gone back to their friends. I think such statistics as are here given ought to be left out of the Government Returns, as they are calculated to mislead from the weight of the authority that is given to them. Then, with regard to another remarkable body of statistics which have been brought forward, showing that in some large towns and cities there was a considerable amount of disease in consequence of their not being protected districts—a larger amount than was to be found in places which were protected. I will give you an instance. There are several regiments quartered in London, comprising sometimes as many as 7,000 men. I will take the Horse and Foot Guards. It is not for me to say which of these regiments does or does not consort with the less degraded class of women; but it is a fact that there is always more disease among the Foot Guards than there is in the Household Cavalry, taking man for man, quartered at the same stations. The Returns of the averages of disease per 1,000 men of the Household Cavalry was only 48 per 1,000, while among the Foot Guards it was 162 per 1,000, from 1867 to 1872 inclusive. Therefore, I say that, as in the case of ships, so it is with the Army. The surgeons at Aldershot affirm that disease varies in certain regiments, so in London one of the regiments may have 20 men diseased, whilst another has 80. This is not an isolated typical case of one particular year, but it goes on year after year; for it is the character of the men, or the accident of consorting with the lower order of women, that really influences these Returns. Now, I want to say a few words to my Friends above the Gangway, who are difficult to convince. They go down to Plymouth or Devonport, or the nice little Cathedral City of Winchester, or Chatham, and Rochester, and are told by those who advocate the Acts that they are doing a great deal of good. I will ask any hon. Gentleman to go to Paris—as I myself did a fortnight ago—and judge for himself from what he will see there. In the most outwardly respectable City on the face of the earth, they will find none of that solicitation which more or less prevails in a free City like London, and yet there is more vice and more disease. Go to Hamburg and Stockholm, where this system of legalized prostitution has been carried on for many years, and you will find that the amount of disease is infinitely greater than in a place like London which is unprotected. There were many medical men examined before the Royal Commission; and, considering the statements that they made, I am only astonished that the Commissioners had the courage to make the recommendations that they did. I want to point out that the Royal Commissioners sat eight years ago, and that, since they reported on the matter, nothing, or next to nothing, has been done in the direction that I am now advocating. There was some distinct recommendations which nobody could overlook, and made, too, by Gentlemen who are still Members of this House, and whom the House would like to hear. These recommendations are towards the end of the Report, and the first recommendation amongst many was this—"That the periodical examination of public women be discontinued." We are now in the year 1878. That Report was addressed to this House and to this country, and I am bound to say that, considering our own Friends were in Office for some time after that Report was issued, and considering that hon. Gentlemen opposite have been in power all these years, I think it is not creditable to either Government that there should not have been some notice taken of that recommendation. I know that in the time of the Liberal Government there was a Bill introduced; but, through lack of time or some other cause, it was found impossible to proceed with it. But, at all events, things do not grow better by being kept on too long; and if this is a disagreeable subject, and distasteful to the Conservative Government, I would recommend them, while there is yet time, to grant a further inquiry; because a further inquiry I am convinced there ought to be. Now, as to this charge of fanaticism that has been brought against us. I have been connected myself with many practical works, and I do not think that I have been a fanatic. I have a very great regard for the exact sciences, and especially for figures, and I am not easily influenced by varnished statements calculated to mislead. I will say no more about myself; but I will rely upon four or five typical men who gave evidence before the Royal Commission in favour of the repeal of these Acts. I will take a man like John Stuart Mill, or Professor Maurice. [*Cries of* "Oh, oh!"] Well, then, I will take the evidence of an honoured man like Mr. Henley. Mr. Henley was one of those old-fashioned Gentlemen who are rather out of date. In the House of Commons there used to be a great many men of that kind 25 years ago; but I am afraid that they may soon become as extinct as the dodo. But between the years 1870 and 1876, that right hon. Gentleman never lost an opportunity of denouncing these Acts. I will not trouble the House with extracts at this time of the day; but one comes to my mind which I will give to the House. In speaking of these Acts, and, speaking of the relative positions of the men and the women, he says—

> "It is long since I looked into any matter of heathen ethics (the Prime Minister will correct me if I am wrong), but I do not think 'that in any system of heathen ethics' you can find that those who tempt are less blameable than those who are tempted."

That is the opinion of many of us today. If you are to carry out the system to its legitimate conclusion, you have no alternative left but to allow the medical men to examine all the men as well as all the women. It is not only a question between the men and the women, but it is rapidly becoming a question in this country and outside this country, whether it is not a case of the rich against the poor? In this particular case, the working-classes of this country are beginning to find out that these Acts are specially levelled against women of their own class—that their class supplies the unfortunate women who are the subjects of this legislation. It is nonsense talking about legislation if, in legislating for women, you leave out the magnificently attired women who drive their carriages in the protected towns, while you compel the wretched girls on the streets to be subjected to these Acts. Why, the police in Paris state that the higher class is the most dangerous in the whole of France; that, so far from this being the class that men can associate with without suffering any physical harm, it is by far the most dangerous class. The head of the police there, who has full arbitrary power over the poor girls in the streets, is always lamenting not having power over that more dangerous class, the clandestine class. This high official is always lamenting the diminution of women on the register. They used to claim a great deal of praise for increasing the number; for he argued, of course—"If I had all these women on the register, I could cure them." He wished—Caligula like, who desired that all his people had but one neck that he might destroy them with a single blow—he wished that he could, by a complete register, abolish the evil wholesale. M. Lecour gives the number of prostitutes as 30,000, and out of these 27,000 escape his clutches. As to the effects of these Acts upon the diminution of disease, I know that one particular disease has been lessened by the introduction of the Acts. [*Ironical cheers.*] I grant you that; I never denied it or disputed it. And what is that disease? Does any hon. Gentleman know, who has ironically cheered my admission? It is "not" the dangerous class of disease. It is a class of disease which may be easily cured, and which leaves no hereditary taint behind it; and I will vouch for the accuracy of this fact—that the hereditary disease has increased 4·6 per cent since the Acts came into operation; and I maintain, moreover, that there was a greater diminution of this hereditary disease, as it is called, before the Acts came into operation than there has been since. There was one thing I noticed with reference to my right hon. Friend, Mr. Henley, and that was that, after leaving this House, he was presented with a testimonial from gentlemen in his own county. But one of the leading Conservative papers—and there are some who still uphold the good old Tory tradition of Tory papers—praised Mr. Henley because he never was in favour of compulsory legislation, and never did anything to interfere with the liberty of the subject; and it went on to say that he was opposed on this ground to the Contagious Diseases Act, thinking it right that this question, which is a moral question, should be dealt with by moral means and by Christian charity. In fact, he was "a popular Tory of the old stamp." I leave that to the consideration of the popular Tories of the old or of the new stamp. But I trust that the words and the witness of an old man with one foot in the grave, whose labours in this House have been manifold, will be held worthy of some attention from this House. Then we have Mr. John Stuart Mill, who may not, perhaps, be considered a great statesman, and Mr. Maurice, with his Broad Church views. If these were not statesmen, at all events I must claim for Mr. Henley some small reputation in that respect. But I will take the case of a woman—a woman who, 20 years ago, devoted her life and sacrificed her health for the good of the soldiers of England. That woman was Florence Nightingale. She was in charge of the Government hospitals in the Crimea, sent out by Lord Herbert. She has been in charge of soldiers, and knew soldiers well, and yet she was the first to sign that roll of Petitions against the Acts; and she said that she felt sure that the system of Government regulation of vice and examination of women is contrary not only to the rights of woman, but to the general liberty of the State. She has seen hundreds of people cured under her own hands. She is not one of those who think that it is improper to sign the Petitions, or who are too squeamish to have this matter discussed. Now, I will take another typical name, the President of the Royal College of Physicians. You may quote instances against me; but do not run away with the impression that we have no supporters, that we are all fanatics; for there are several hundreds of medical men in this country, and in every town in England, who hold that the examination of these wretched women cannot be depended on as a certain test whether they are diseased or not. I believe no medical man is absolutely certain on the subject; and one of the highest physicians in the country has recorded it as his belief that, in 33 per cent of examinations, the examiner, who often—aye, usually—examines very rapidly, would fail to detect the more serious disorders; and, therefore, the State is in this peculiar position—that it gives its seal and *imprimatur* to this system of periodical examination, which can only be relied upon, at the most, in two out of three cases, and which the Royal Commission has recommended should be discontinued. The examination says to the women—not called "the Queen's Women" now, as they used to be—"You are safe; you may go." But hear what Dr. Routh says—

> "Not only are these examinations outrageous, because made under compulsion, but very often useless, because they do not ensure the safety of any man who may afterwards consort with these women."

I say this—that by the operation of these Acts some disease has been checked. It is impossible to have the examinations and re-examinations without being able to do some good. I always granted that. And more than that, I say that it is desirable, and in the highest degree essential for the health of this country, that there should be infinitely more done for the treatment of this disease. I agree with the recommendation of one of the medical men examined on the Royal Commission, that there ought to be Lock wards in every hospital in the Kingdom. This thing will be always better done under the voluntary system than under the State system. But some people are impressed with the idea that nothing can be done without the assistance of the State; that you must have the State to find religion for you, and in some countries the State finds theatres, and they think that the State must be everything and do everything. Time alone will solve this problem. But of this I am satisfied—that year by year will bring conviction to the minds of those who are still undecided, and I trust will confirm those who are already convinced, that it is impossible to maintain these Acts in the face of the public feeling of the country which, whether right or wrong, has pronounced —and I believe rightly pronounced— that these Acts have not been proved to be of any appreciable sanitary value; but that they have outraged the sense of decency, of equity, and of freedom in the minds of thousands of our countrymen and countrywomen. With these few words, I beg to move the second reading of the Bill.

Mr. STANSFELD seconded the Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Harcourt Johnstone.*)

Mr. W. H. SMITH: I am sorry that the hon. Member has brought this most painful subject before the House. It is certainly one of the most painful subjects that could be discussed in the British House of Commons. I am very far indeed from depreciating or in any way calling in question the motives of the hon. Baronet, or of those who take a very deep interest in this question. I am sure that they do it from the deepest sense of duty, and from the consciousness that they are dealing with a matter that it is their duty to deal with. But I cannot help feeling myself that they take but a very partial view of the question, and it is one which, from its nature, they are not able carefully to study for themselves. I say that they are not able for themselves carefully and thoroughly to study it. But it has been my duty, occupying the position which I fill, to visit some of the hospitals in which these poor creatures, who are the subjects of this Bill, are incarcerated. I have been to Portsmouth and Devonport, and I have taken care to walk through the wards of the hospital with those who had the management, and to examine, as far as possible, into the practical operation of the Acts which are now under review. Well, Sir, I own in going down there in the first instance I was inclined—and I believe most hon. Gentlemen would be inclined—to favour the view which the hon. Baronet himself proposes to the House. But upon experience and examination, I came to the conclusion that these Acts are beneficial to public morality, beneficial to the persons who are intimately affected by them, and beneficial to the State. Some regard must be paid to the testimony of the clergymen, magistrates, and officers who are themselves engaged in carrying out, most tenderly, I think, and most carefully, these Acts, as they affect the women who are now the subject of this debate. If the hon. Baronet will take the trouble to visit these hospitals, to enter into a personal communication with the clergymen, who themselves are acquainted with the operation of the Acts—not those who remain outside, and merely speak in general terms of this matter—and see the patients in the hospitals, and examine the Returns, I think that I can say that he will come to a different conclusion from that which he has now stated to the House. The time is very short, and therefore I am obliged to compress my observations within a very limited space indeed. But I cannot help referring to one set of questions placed in the hands of clergymen, and very largely distributed by a body which is not often referred to in this House; but, at the same time, I think it must be admitted, whatever the views of hon. Gentlemen, that at least the object they have in view must be the preservation of morality—I speak of Convocation. Convocation printed certain questions which they sent around to clergymen and persons who, in their judgment, could give an answer to them which could be relied upon as to the operation of these Acts. I hold now in my hands the replies given to those questions by Mr. Grant, the Vicar of Portsmouth, who is, I believe, known to many hon. Gentlemen in this House. He is a gentleman who has devoted himself to the duties of his position, and who is at least capable of giving strong and trustworthy answers to any questions put to him. He is chairman of the committee of the hospital at Portsmouth, and it is known to the House that the Admiralty do not administer these Acts by their own officers, and the medical officers are appointed by the local authorities; and it is not too much to say that they have discharged their duty with zeal and care. The first question which was asked of Mr. Grant was—

> "What is your opinion of the result of the Contagious Diseases Acts in increasing or diminishing prostitution?"

The answer is—

> "In diminution of prostitution; for whilst in 1865 there were 789 prostitutes on the register of Portsmouth, there were in December 31st, 1876, 476."

[*Ironical cheers.*] Well, I see hon. Gentlemen notice that statement as one which they perhaps think is not quite to be relied upon. This is not a statement of a mere statistical fact by Mr. Grant; but it is a statement out of the abundant local information which he possesses as to the condition of the town of which he is Vicar, and which may be relied upon. It is scarcely to be conceived that Mr. Grant would make a statement of this kind without he conscientiously believed it to be true. The next question is as to the amount of disease. The answer is—

> "It diminishes the amount of disease in a remarkable manner. Whereas in 1875 the ratio of disease, upon their examination, was 70·56 per cent, it has been gradually reduced, until in December, 1876, the ratio was 4·84."

So that you have a smaller number of prostitutes in this abominable trade, and you have, in that smaller number, a vast deal less of ratio of disease. These are answers which are at least of some value, coming from the source which they do. The other questions are—

> "Q. What do you consider has caused these results?—A. The general working of the Contagious Diseases Acts. Q. Has the number of brothels been increased or decreased?—A. The operation of these Acts has reduced the brothels by one-half. In 1865 there were 263, and in 1876 there were 133. Q. Have any police regulations been in favour of this result?—A. There are no special police regulations beyond those which obtain, I believe, in all towns. The result has been entirely due to the general working of the Contagious Diseases Acts. Q. What is your opinion as to the effect——"

And it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

LINEN AND HEMPEN MANUFACTURES (IRELAND) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to consolidate, amend, and continue the Laws relating to Linen, Hempen, and other manufactures in Ireland.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. JAMES LOWTHER and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 184.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 23rd *May,* 1878.

MINUTES.]—*Sat First in Parliament*—The Lord Clements, after the death of his uncle.

PUBLIC BILLS—*Committee—Report*—Provisional Orders (Ireland) Confirmation (Dungarvan, &c.) * (65); Inclosure Provisional Orders * (64); Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation * (82).

Report—Contagious Diseases (Animals) * (88).

Third Reading—Local Government Provisional Orders (Abingdon, &c.) * (83); Public Works Loans * (81), and *passed.*

CHURCH OF ENGLAND— THE PREACHERS IN ST. PAUL'S.

QUESTION.

THE EARL OF HARROWBY reminded their Lordships that on Friday last he put a Question to the right rev. Prelate (the Bishop of London) as to whether a clergyman who had refused to yield obedience to the law — the Rev. Mr. Edwards, Vicar of Prestbury —had been invited to preach at St. Paul's? and on that occasion the right rev. Prelate stated the inquiries which he had made and promised to make further inquiries, as some of the canons were absent. *The John Bull* newspaper had taken it upon itself to throw discredit on the whole matter, and stated that no such invitation had been made. He now wished to ask, If the right rev. Prelate had made further inquiries, and could give any information on the subject?

THE BISHOP OF LONDON said, that when the noble Earl asked him the Question on Friday, he could only reply that having communicated with the Dean and Chapter he was informed that they had made no such appointment, and were not aware that it had been made. In two or three days after he received a letter from Canon Liddon, who at that time was absent, who said he had read the report of the Question and Answer in the debates of Friday last, and begged to inform him that some time in the month of April he asked Mr. Edwards to preach at St. Paul's on Sunday, December 15, and did so in consequence of his recollection of the great ability of Mr. Edwards as a preacher, and in consequence of the recommendation of a friend. The invitation thus given had no reference to recent circumstances. Canon Liddon added that for the last four years he had had Mr. Edwards's name on his list of the clergymen whom he intended to invite to preach. The appointment had not been laid before the Dean and Chapter, and was not likely to be so laid till near the time when Mr. Edwards was to have preached. However, Mr. Edwards had withdrawn his acceptance of the invitation and there was an end of the matter. He could not help expressing his regret that any circumstance should have arisen which should be capable of the construction that one of so high a character and position as Canon Liddon had given his sanction to a clergyman now under condemnation for repeated acts of disobedience to the laws and courts of his Church.

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 23rd *May,* 1878.

MINUTES.]—SUPPLY—*considered in Committee*—Exchequer Bonds (£1,500,000).

WAYS AND MEANS—*considered in Committee*—Exchequer Bonds (£1,500,000); Consolidated Fund (£6,500,000).

PUBLIC BILLS—*First Reading*—Railway Returns (Continuous Brakes) * [185].

Committee—Report—Elementary Education Provisional Order Confirmation (Mickleover) * [161]; Local Government Provisional Orders (Droitwich, &c.) * [163]; Highways (South Wales) * [160].

Considered as amended—Gas and Water Orders Confirmation * [153].

Withdrawn — Metropolis Waterworks (Purchase) [58].

ORDER OF THE DAY.

METROPOLIS WATERWORKS (PURCHASE) BILL—[Bill 58.]

(*Sir James M'Garel Hogg, Sir Andrew Lusk, Mr. Grantham. Mr. Rodwell.*)

SECOND READING. BILL WITHDRAWN.

Sir JAMES M'GAREL-HOGG said, that in rising to ask leave of the House to discharge the Order for the second reading of the Bill, he hoped he would be allowed to express his regret that the lateness of the Session and the opposition the Bill had experienced rendered it impossible to proceed with the Bill with any hope of success. He took this course not in consequence of any change of opinion on his part, or on that of the Metropolitan Board, in regard to the merits of the Bill; and he ventured to add that, when the matter was concluded, the cost would be found to be much greater than if there had been a decision this Session.

Order for resuming Adjourned Debate on Amendment on Second Reading [12th March] read, and *discharged.*

Bill *withdrawn.*

QUESTIONS.

POOR LAW—ROMAN CATHOLIC NURSES IN WORKHOUSES.—QUESTION.

Mr. O'SHAUGHNESSY asked the President of the Local Government Board, If his attention has been called to the proceedings of the Board of Guardians of St. Saviour's Union at a meeting held on the 16th instant, at which a day nurse chosen by the Workhouse Committee was rejected by the Board on the express ground that she was a Roman Catholic, the mover of the rejection arguing that the appointment of Roman Catholic nurses was objectionable, and the Chairman laying down the principle that Workhouses are Protestant institutions; and, whether there is any provision in the statute law, or in the Local Government Board's regulations, making it objectionable to appoint Roman Catholic nurses to workhouse hospitals, or imparting to Poor Law institutions a denominational character; and, if not, whether he will address to the St. Saviour's Board of Guardians an official correction of the misconception under which they seem to labour as to the theological status of London workhouses?

Mr. SCLATER-BOOTH: My attention was called to this case by the Question of the hon. Gentleman, and I have made inquiry respecting it. It is true that the Guardians of St. Saviour's Union, at their meeting on the 16th instant, declined to appoint a nurse who had been recommended by the Committee because she was a Roman Catholic, and it appears from a newspaper report which I have seen that expressions were made use of as stated in the Question. There is no provision in the statute law, nor in the regulations of the Local Government Board, against the appointment of Roman Catholic nurses, nor is there any provision imparting to workhouses a denominational character, except in so far as the Guardians are required to appoint a chaplain who shall be a member of the Established Church. The clerk to the Guardians informs me that the chief officers and chaplain being Protestants, it was expected that difficulties would arise if subordinate officers of other denominations were appointed who, in the ordinary course, would require leave of absence, probably at inconvenient periods, for attending to their religious duties. I am happy to give this public answer to the hon. Gentleman's Question; but seeing that the Guardians were acting within their right in declining to make this appointment, and that the language quoted was the language of individuals only, I do not consider that it is competent for me to address them officially on the subject.

POST OFFICE—DOVER AND CALAIS MAIL CONTRACT.—QUESTION.

Sir WILLIAM FRASER asked the Financial Secretary to the Treasury, Whether, in order to enable the House to form a just opinion of the Contract submitted for its approval between the Postmaster General and the London and South Eastern and London, Chatham, and Dover Railway Companies, laid upon the Table on the 6th of May (No. 157), for conveying the Mails and passengers between Dover and Calais and vice versâ, he will, previously to moving his Resolution approving the said Contract, lay upon the Table a Statement of the name of each vessel employed during the last twelve months by the Companies, giving the size of each; the highest number of passengers actually conveyed by each; and the day in each month in which each vessel was employed?

Sir HENRY SELWIN-IBBETSON, in reply, said, the Government had no such information in its possession as the hon. Baronet required; but, owing to the courtesy of the Directors of the Companies, he had been furnished with a statement, which he would lay on the Table if the hon. Baronet wished it.

SALE OF FOOD AND DRUGS ACT, 1875 —SCOTLAND.—QUESTION.

Mr. W. HOLMS asked the Lord Advocate, If he is aware that by a recent decision of the High Court of Justiciary "The Sale of Food and Drugs Act, 1875," has practically become inoperative in Scotland; and, if so, what steps he proposes to take to remedy this state of things?

The LORD ADVOCATE, in reply, said, his attention had been called to the decision in question. The result of that decision was rather too strongly put in the Question. It only affected the 6th clause of the Act; but he admitted that it would have the practical effect of stopping prosecutions under that clause. The Act, however, was one which applied to England as well as to Scotland, and the same point which had been decided by the Judges in the High Court of Justiciary had been raised by an appeal from a decision of the magistrates of Sheffield. He understood that that appeal was now pending before the High Court at Westminster; and, under these circumstances, he thought it better, before taking any steps in the matter, to wait and ascertain what the decision of that Court might be.

MILITARY FORCES OF THE CROWN— THE INDIAN CONTINGENT.

WITHDRAWAL OF NOTICE.

Mr. HUSSEY VIVIAN, who had given Notice that he would ask the Chancellor of the Exchequer, How many men of all ranks of the Indian Army it is proposed to include in the Estimate which he has announced his intention to ask the House to vote? said: The Constitutional course taken by Her Majesty's Government in including in the Supplementary Estimate—["Order!"] [Mr. Hussey Vivian: I am in Order.] The course of the Government in including in that Estimate the number of Indian troops brought to this country has entirely removed the necessity I felt of putting this Question. I therefore beg to withdraw it.

ARMY—SIEGE GUNS.—QUESTION.

Major NOLAN asked the Surveyor General of the Ordnance, If the shooting of the Armstrong six-inch breech-loading gun has been found to be very superior to that of the present muzzle-loading siege guns of the same calibre; and, does he intend to prosecute early and extensive experiments with guns of this new pattern?

Lord EUSTACE CECIL: The official Reports of the experiments now going on are not yet fully completed, but any comparison would be most misleading; as, although the service siege guns and Sir William Armstrong's are of the same calibre (6 inches), the weight, length, and charges are very different, the weight of the service siege gun muzzle-loader being 64 cwt., the length 9¼ feet, and the charge 12 lb.; while the weight of Sir William Armstrong's breech-loader is 78 cwt., the length 12 feet 1 inch, and the charge 33 lb. A muzzle-loading gun chambered to take a larger charge and of the same weight and length as Sir William Armstrong's gun would probably give the same result; and Sir William Armstrong is of this opinion. Until the present experiments have been fully considered, it cannot be decided what further experiments will be desirable.

PUBLIC HEALTH (IRELAND) BILL.

QUESTION.

Major NOLAN (for Mr. Gray) asked Mr. Attorney General for Ireland, Whether, in view of the urgent necessity of giving to Ireland a sanitary code similar to that given to England three years ago, he is in a position to fix a day for the consideration in Committee of the Public Health (Ireland) Bill, which is on the Paper for this day, and which has now been for three Sessions before the House; whether he will consider the propriety of including in the Irish code the provisions of "The Sale of Food and Drugs Act, 1875," which were omitted from "The Public Health Act (England), 1875," because the Bills were only passed the same Session, and also of including the provisions of "The Public Health (England) Amendment Bill," which has just passed through the House; and, whether, in view of the present state of public business, the large number of amendments now upon the Notice paper, and the importance of making the measure a complete sanitary code for Ireland containing the latest amendments in the English Law, he will, if not in a position to fix an early day for its discussion, consider the advisability of again referring the Bill to a Select Committee, or of withdrawing and reintroducing it with such amendments as may commend themselves to him, or of taking some other practical step to remedy during this Session the present unsatisfactory condition of Irish Sanitary Law?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON): I propose, within the next few days, to go into Committee on this Bill *pro formâ*, which will give me the opportunity of adopting, in the reprint of the Bill, some of the Amendments which have been suggested, and so facilitating the passing of the Bill during the present Session. I do not think it would be proper to include in the Irish code the provisions of the Sale of Food and Drugs Act, 1875, because that is an Imperial statute, and not peculiar to one country. Before, however, committing the Bill, I shall carefully consider the other Act named, with the view of adopting in the Public Health (Ireland) Bill any clauses that might seem suitable to Ireland.

POLICE SUPERANNUATION FUND (SCOTLAND).—QUESTION.

MR. J. STEWART asked, Whether the Government intended, during the present Session, to take steps to provide a superannuation fund for the benefit of the police forces of Scotland?

THE LORD ADVOCATE, in reply, said, that the Home Secretary was exceedingly desirous to deal with the question of superannuation, not only for Scotland but for England; but, at the same time, he was quite unable to hold out any prospect of introducing a Bill on the subject during the present Session.

INDIA—NATIVE INDIAN FORCES—TERMS OF SERVICE.—QUESTION.

SIR ALEXANDER GORDON asked the Under Secretary of State for India, Whether there were any Order or Orders by Her Majesty in Council, or by the Governor General of India in Council, altering the terms and conditions of service of men entering the Indian Forces from what these terms and conditions were on the 2nd August, 1858; if so, if they had been laid before Parliament according to the 52nd section of 21 & 22 *Vict.* c. 706; and, if so, whether he would state the dates on which such Order or Orders were laid on the Table of the House?

MR. E. STANHOPE: Since the date mentioned by the hon. and gallant Member there has been no change in the terms of enlistment and service of the Native portion of Her Majesty's Indian Forces.

BUSINESS OF THE HOUSE—THE WHITSUNTIDE RECESS.

NOTICE OF QUESTION.

MR. DILLWYN: I beg to give Notice that I shall to-morrow ask the Chancellor of the Exchequer when it is proposed that the House shall adjourn for the Whitsuntide Recess, and for how long?

THE MARQUESS OF HARTINGTON: Before the right hon. Gentleman answers that Question, I shall be glad if the right hon. Gentleman will inform me when he will afford the House an opportunity of discussing the question of the Supplementary Estimate?

THE CHANCELLOR OF THE EXCHEQUER: I have to state that the Question referred to by the hon. Member for Swansea will be brought forward to-morrow. In answer to the noble Lord, I beg to say that I gave Notice some time ago—and in answer to a Question, I think, from the noble Lord himself—that I proposed to take that Estimate on Monday next, the 27th, and I think that will be the day which will be the most convenient to take it.

ORDERS OF THE DAY.

THE MILITARY FORCES OF THE CROWN.

ADJOURNED DEBATE. [THIRD NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [20th May],

"That, by the Constitution of this Realm, no Forces may be raised or kept by the Crown in time of peace, without the consent of Parliament, within any part of the Dominions of the Crown, excepting only such Forces as may be actually serving within Her Majesty's Indian Possessions."—(*The Marquess of Hartington.*)

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, being of opinion that the constitutional control of Parliament over the raising and employing of the Military Forces of the Crown is fully secured by the provisions of the Law, and by the undoubted power of this House to grant or refuse Supplies, considers it to be unnecessary and inexpedient to affirm any Resolution tending to weaken the hands of Her Majesty's Government in the present state of Foreign affairs,"—(*Sir Michael Hicks-Beach,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. ASSHETON CROSS: Sir, I am not going to be led by the observations of the right hon. Gentleman the Member for Pontefract (Mr. Childers), who addressed the House at the close of the debate on Tuesday night, into any discussion as to the policy of Her Majesty's Government in the management of these Eastern Forces. That, as I understand, is a question which hon. and right hon. Gentlemen opposite have not thought it right at the present moment to bring before the House. I am quite content that the Government should rest, as it does, on the approval of the vast majority of the House of Commons and of a still larger majority of the country; and when the time comes for the discussion of the policy of the Government, I, in common with my Colleagues, shall be ready to defend it whenever it may be attacked. But the right hon. Gentleman made a considerable number of observations on that policy. He alluded to the 35,000 troops added to the Forces of the Crown by calling out the Reserves, and remarked that at that time we had followed the proper and Constitutional practice of sending a Message to each House of Parliament; and he went into an elaborate calculation as to how much English and Indian troops were respectively worth, coming to the conclusion that the 7,000 Indian troops were worth only 3,500 of English, and asking if we could act Constitutionally with regard to the 35,000, why did we not act in the same Constitutional manner in reference to the 3,500? I should have thought that he might have thought of this argument — namely, that from the manner in which the Government acted with regard to the larger Force, in which respect their conduct was wholly in accordance with the Act of Parliament, it might be presumed that they would not willingly act contrary to what they believed to be the law with regard to a smaller Force. The right hon. Gentleman then went on to say that there was very much dispute in regard to the employing of these Indian Forces at all in concert with European Forces. That really was discussing a question which I have not the slightest intention to discuss. He went into the matter with considerable detail, and quoted to us the evidence of a great number of persons who were examined before a Committee; and all that, to my mind, shows this—the great inconvenience, to say the least of it, of having a Resolution put before us of such a character as the noble Lord has placed before the House; because that being, as he himself stated, a matter connected with the Constitutional and legal bearings of the question, it has formed a peg upon which hon. Gentlemen have hung a series of accusations against the Government, and if we answered them at length, the debate would be interminable. One of the accusations of the right hon. Gentleman the Member for Pontefract, which he enforced as strongly as he could, had reference to the secrecy which the Government observed in regard to these Indian troops. I am quite ready to meet that accusation. It was a question on which we might have been challenged, and were not challenged. It forms no part of the subject-matter which was offered to the consideration of the House. My right hon. Friend the Secretary of State for the Colonies gave an answer which undoubtedly had great weight with the Government—namely, that this was a step the Government did not want to take unless they thought they were absolutely driven to do so; and when we came to our decision we found that there were local difficulties with the winds and waves that made it absolutely essential that it should be carried out by a certain time; and, as there was still a doubt whether some practical difficulties could be got over or not, it would, as my right hon. Friend said, have been the height of folly if we had told the world what we were going to do, and then found out that there were local reasons why it could not be done. There are reasons why, even at the present moment, we cannot be entirely explicit, for the right hon. Gentleman must know that this must be a time the most inopportune to go at any great length into what has taken place in the deliberations, not of England alone, but of Europe, at the time in question. I may say, on behalf of the Government, that the most absolute secrecy was essential, for negotiations of the highest importance were going on, and at that time of good promise; and, on the other hand, we had received certain information from a high authority which has since, happily, turned out untrue. No one was more glad of that than myself; but there were rumours, which came from such an authority that we were bound to pay respect to them; and it would have been the height of rashness and folly if we had induced Parliament, at that moment, to enter into excited debates on the subject. To my mind, the secrecy which the Government observed at that time was absolutely necessary for carrying on the affairs of the Empire. I am aware that we are responsible for that; but I believe that we would have betrayed our trust, and been unfaithful to our high duties, if we had not kept that secrecy. All this leads me to one further observation as to the Motion of the noble Lord. He says—and I am bound to admit that in his speech he kept as far as possible to what he said at the outset—that he was going to treat this matter simply in its Constitutional and legal bearing. That may be so; but the noble Lord must remember that the House is not a mere debating society, and it is not a question whether we ought to discuss a dry and abstract point of law, which might be discussed in the Courts of Law; but it is absolutely certain, in discussing a Motion of this kind, though you do not want to attack the general policy of the Government, this House, being filled with men of practical business-like habits, and men of common sense, must see that the Resolution of the noble Lord has no object whatever unless it is to be considered in regard to the acts of the Government; and that it is the acts of the Government that must be considered by the House if it is necessary to take up the time of the House at all with the discussion. And when we came later on in the debate we found that that certainly was so, for the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), though he praised the noble Lord for not discussing our policy, made a speech of which the whole tenour was not the discussion of a Constitutional abstract question, but an indictment of the gravest possible character against the acts of the Government. [*Cheers.*] I am glad to hear that cheer; this is exactly what I say—if you mean to discuss the acts of the Government, and to pass a Vote of Censure upon them, why do you not do it, instead of introducing this Resolution as a means of discussing them in a by-way, without calling upon the House to form an opinion practically as to the Government's acts. When I come to consider the terms of the Resolution, I must remind hon. Members, and the right hon. Gentleman the Member for Greenwich in particular, not simply that there is a Resolution, but that there is an Amendment also; and I recommend the House to take into consideration, not only the terms of the Resolution, but the terms of the Amendment. I quite admit that, supposing the Government had chosen, in spite of all statutes and all practice, in a time of profound peace, to take the whole Indian Army to garrison all the places in Europe with Indian troops, in order to set free English soldiers for service elsewhere, and had deliberately concealed that from Parliament till it was necessary to come to Parliament for Supplies, and had then made a request for those Supplies without rhyme or reason, then the Government would have been guilty of a gross breach of the Constitution. That is the imaginary state of facts on which hon. Gentlemen argue. They magnify the acts of the Government, and then think it high time to pass their Resolution. But that is not the real state of the case. In the first place, what we did was not done in a time of profound peace; on the contrary, what we did was done in a time of profound danger; and the Government never raised one single man or Native troop whom they were not authorized to raise by the consent of Parliament. There is no question of raising troops without the consent of Parliament; not a single man has been used who has not been enlisted with the absolute free will and consent of Parliament and the country. But what, then, has the Government done? They have advised Her Majesty, in the exercise of Her undoubted Prerogative, to move a portion of Her troops from one portion of Her Dominions to another. Have they done this with the deliberate intention of concealing it from Parliament? Why, the very first day Parliament re-assembled the Chancellor of the Exchequer came down and said that he was going to present to Parliament the Estimates which would practically provide funds for these troops; and the day on which the Estimates were to be considered was actually fixed before Notice was given of the Motion of the noble Lord. What we did was done not in a time of profound peace, but in a time of imminent danger; indeed, so serious did even Parliament itself consider the situation, that it had some time before sanctioned a Vote of Credit, and by that Vote practically sanctioned the calling out of the Reserves. At all events, it was the opinion of Parliament that a great emergency had arisen; and when hon. Gentlemen proceeded to a discussion of the actions of the Government, they should not leave those facts out of consideration. With reference to the movement of these Indian troops, we had no intention or design of concealment. The moment they were moved—the moment when the secrecy which, in our opinion, was then essential was no longer necessary—and I am bound to say that, from military considerations, it was not intended that the movement of the troops should be known so soon—that moment, if Parliament had been sitting, the House would have been informed that the Government would come down and ask the necessary Supplies. Now, these are the acts of the Government, and I do not believe they have been guilty of any dereliction of duty, or that they can be justly charged with having broken any Act of Parliament. Having done what they have done with, I think, the full approval of the country, I contend that, looking at the exigencies of the case, they were only performing their duty, and that, in the words of the Amendment, there is no necessity for passing any such Resolution as that of the noble Lord, which he knows must, if carried, tend to embarrass the Government. I do not wish to detain the House long; but I am anxious to place before the country the acts with which we are charged, and to call the attention of the House to the state of things which existed not only in England, but throughout Europe, at the time the Government took the course which they felt bound to adopt. In considering the Resolution and the Amendment I say that, unless the acts of the Government are such as to call upon this House for censure, there is no occasion to pass such a Resolution. I go further, and contend that the noble Lord must make out that there have been acts done by the Government which imperatively call upon the House to pass a Resolution of this kind, to prevent such action in the future, before he can fairly ask the House to assent to it. In that case, it is not only this House which ought to interfere, but Parliament; and I maintain, therefore, that it is idle and ridiculous to bring forward in the House of Commons a Motion, abstract in its terms, but disputing by a side-wind the action of the Government, and at the same time, in the other branch of the Legislature, to bring forward something totally and distinctly different, as if the matter were one of no importance, and one with which Parliament ought not to deal. With all deference to the noble Lord, I cannot understand why he assented, in common with his advisers, to pursue such a course of conduct. I have alluded to the speech of the right hon. Gentleman the Member for Pontefract (Mr.

Childers), and I need hardly say with what great pain, as a Member of the Government, I listened to another speech —I mean that of an hon. Friend of mine, for whom I entertain the highest regard—the hon. Member for North Warwickshire (Mr. Newdegate.) I cannot think my hon. Friend has viewed this matter in its true light, or that he has taken into consideration the state of England and Europe at the time at which the measure to which he objects was adopted. He bases his opposition to the act of the Government, so far as I can make out, on the effect of the clause which was introduced into the Government of India Bill in 1858. Now, my observations on that point I will, with the permission of the House, defer for the present; but I feel assured that if my hon. Friend had before him the true facts of the case, he would not have been so ready to listen to the indignant observations of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone). That right hon. Gentleman has made some serious charges against the Government. He has charged us with illegality in two matters, and when that charge broke down—as I believe it did utterly—he said that we had acted unconstitutionally in two ways. Here, again, comes in the difficulty of dealing with this Resolution. If we have done anything illegal, why not put it down and say distinctly what it is? If we have done anything unconstitutional, why, again, not say clearly what it is, and take the opinion of Parliament on the subject? Instead of doing that, however, the right hon. Gentleman says —"You have done something illegal; you have done something unconstitutional; or, at all events, you have done something uncivil;" but in making charges in such terms as these, he is really putting us in a difficulty under which no Ministers of the Crown ought to be placed. The right hon. Gentleman the Member for Greenwich, however, is of opinion that we infringed the Bill of Rights; but I should gladly leave that part of the subject to those hon. Gentlemen who are learned in expounding the law. I must, at the same time, protest against the charge that we have broken the Bill of Rights in any form or shape. I cannot help thinking, I may add, that the right hon. Gentleman was rather hard on the Attorney General the other night when he denounced, in the strongest terms, not only the law as laid down by my hon. and learned Friend, but the danger from such an exposition of the law to the liberties of the subjects of this realm. The right hon. Gentleman accused my hon. and learned Friend of having stated that the Bill of Rights was not a declaratory Act, and that it made the law. Now, it is no part of my business to contend that the Bill of Rights did not expressly declare the law. The right hon. Gentleman laid great stress on the word "declare," because it was to be found in the statute. There is, however, no magic in that word, and it does not, it seems to me, bear out the right hon. Gentleman's contention. But if there was one part of the Bill of Rights with respect to which more than another he blamed the Attorney General for saying it was not the common law, it was that relating to the raising of Forces by the Crown. The right hon. Gentleman, in the course of his speech, quoted a sentence from Mr. Hallam. Now, no one values more than I do the authority of Mr. Hallam. Any statement of his is entitled to the greatest weight. It is, at the same time, I think, to be regretted that, when such a violent onslaught was made on the Attorney General, we were not favoured with the benefit of Mr. Hallam's opinion on the particular point to which that onslaught was directed, especially as it is to be found not only in the same book, but in the same page—almost the same sentence—from which the right hon. Gentleman quoted. Let us first see what the right hon. Gentleman, with all the eloquence at his command, puts in the mouth of my hon. and learned Friend. This, it must be borne in mind, is not only an attack upon the Attorney General, but an attack upon the Government, and I must protest against the actions of the Government being dealt with through the action of the Attorney General. [*Ironical cheers.*] Pardon me for a moment. I say that the acts of the Government are one thing, and a sentence which may fall from a Member of the Government quite another thing; but when that sentence, after a long series of manipulations, comes out in a totally different shape from that which it first presented, no one, I think, has more reason to complain than my hon. and learned Friend himself. The

Attorney General, seeing his own innocent words through what I may call the magic lantern of the right hon. Gentleman's eloquence, reminds me of a country person coming up to London for the first time who is shown what seems to him to be a glass of pure water, which he afterwards perceives to be filled with all sorts of hideous forms, and in which he can no longer recognize the pure drop of water he first saw. "The Government," said the right hon. Gentleman, "according to the Attorney General, has the power to maintain what Forces it pleases, and to use them as it pleases, and when it pleases and where it pleases, and as long as it pleases, until it is under the necessity of finding money for the services; but as to the time of that necessity it can exercise its own discretion, and there is no limit as to the time at which it is under an obligation to come and take us into its counsel." Well, I hope the action of the Government is not to be read by the light of that version. It only shows how apt people are to be led away by eloquence, when really and truly there is not so very much in it. Well, Sir, what is the opinion on this subject of Mr. Hallam, whom the right hon. Gentleman quoted? Mr. Hallam says—

> "Except in this article of the dispensing Prerogative, we cannot say, on comparing the Bill of Rights with what is proved to be the law by statutes, or generally esteemed to be such on the authority of our best writers, that it took away any legal power of the Crown or enlarged the limits of popular and Parliamentary privilege. The most questionable proposition, though at the same time one of the most important, was that which asserts the illegality of a standing Army in time of peace, unless with consent of Parliament. It seems difficult to perceive in what respect this infringed on any private man's right, or by what clear reason, for no statute could be pretended, the King was debarred from enlisting soldiers by voluntary contract for the defence of his dominions, especially after an express law had declared the sole power over the Militia, without giving any definition of that word, to reside in the Crown. This had never been expressly maintained by Charles II.'s Parliaments, though the general repugnance of the nation to what was certainly an innovation might have provoked a body of men who did not always measure their words to declare its illegality. It was, however, at least unconstitutional, by which, as distinguished from illegal, I mean a novelty of much importance, tending to endanger the established laws. And it is manifest that the King could never inflict penalties by martial law, or generally by any other course, on his troops, nor quarter them on the inhabitants, nor cause them to interfere with the civil authorities; so that even if the proposition so absolutely expressed may be somewhat too wide, it still should be considered as virtually correct. But its distinct assertion in the Bill of Rights put a most essential restraint on the Monarchy, and rendered it in effect for ever impossible to employ any direct force or intimidation against the established laws and liberties of the people."—[*Constitutional History*, chap. 15.]

It will be seen from this, that the one point which the right hon. Gentleman pressed upon my poor Friend the Attorney General, with the greatest possible force and violence of his eloquence, was this which Mr. Hallam says is the only point which was doubtful. I should be curious to hear from the legal Gentlemen who may speak in the course of the evening how far, in their opinion, the ancient common law of England extends. The right hon. Gentleman says the Bill of Rights extend over not only the United Kingdom, but all the Dependencies of the Crown, like the common law. Well, I have every respect for the common law; but I must confess my surprise to hear it asserted that it extends to all the Dependencies of the Crown. I thought it had been decided over and over again that it did not. *Blackstone* says—

> "There is a difference between these two species of Colonies with respect to the laws by which they are bound, For in conquered or ceded countries that have already laws of their own, those laws remain in force until changed by competent authority, and the common law of England as such has no allowance or authority there."—[*Sec.* iv.]

In Jamaica a statute was passed in which the common law of England was made to be the law of that country, but that statute did not receive the Royal Assent. Where would slavery have existed if the common law of England had been in force in all the Dependencies of the Crown? As to Lord Bathurst's views, I have only to say that the report of them is of the most meagre description, and that hon. Members who discuss this question in future years will have the advantage of studying the law as laid down by another Lord Chancellor—namely, Lord Cairns—whose views I am debarred at the present time from quoting. So much for the Bill of Rights. As I have endeavoured to show the House, we have not infringed it, and until the doctrine which has been laid down on the other side is carried further, we are not liable to any charge of illegality. Now we come to the second charge of illegality, in making which the right hon. Gentleman says he feels more at home in history than in law. I hope to be able to show that, if he was wrong in law, he was still further wrong in history. The account which he gave of the clause in the Act of 1858 would not, I am sure, lead hon. Members to form a just and proper conclusion as to what occurred at the time of its passing; for, curiously enough, on that occasion the doctrine now laid down by the right hon. Gentleman and his Friends was not advanced by any speaker. Now, what was the history of the clause? The Bill, as brought in—not by the Government which passed it, but by a previous Government—contained a provision that Indian troops should not be moved out of Asia. Subsequently, however, that provision disappeared, and the right hon. Gentleman introduced a new clause—this, namely—

> "That except for repelling actual invasion, or under other sudden and urgent necessity, Her Majesty's Forces in the East Indies shall not be employed in any Military operation beyond the external frontier of Her Majesty's Indian Possessions, without the consent of Parliament to the purposes thereof."—[3 *Hansard*, cli. 1008.]

Then he appealed to the Members of the late Government to say—

> "Whether it was not a most dangerous precedent that it should lie in the discretion of the Executive to make use of what might be called extraneous finance and an extraneous Army for the purposes of making war, the expense of which was hereafter to be borne by the British people?"—[*Ibid.* 1011.]

Well, as the right hon. Gentleman says very fairly, the clause was objected to by Lord Palmerston and Earl Russell. Earl Russell thought the clause unconstitutional, because it interfered with the movement of troops by Her Majesty. The noble Earl said—

> "Supposing we had a war with some European Power, and that, this war being supported by the House of Commons, it was considered desirable for the Indian Army to attack the possessions of this enemy of the Crown, it appeared to him the clause would prevent the employment of those Forces without the consent of Parliament."—[*Ibid.*]

That is the very point we are now discussing. The clause, however, passed the House of Commons; but the objection taken to it was so serious that, on the second reading in the House of Lords, the Earl of Derby made use of the following words:—

> "It has been objected to this clause that it appears to interfere with the Prerogative of the Crown, inasmuch as it provides that none of Her Majesty's Forces maintained out of the revenues of India shall be taken, except in cases of urgent emergency, beyond the frontiers of that country without the previous consent of Parliament. . . . . Your Lordships will recollect that, although there is no prerogative of the Crown more indisputable than that of making war or peace, the Constitution has provided an equally indisputable check on the practical exercise of that Prerogative by rendering it necessary for the Crown to come to Parliament for the Supplies necessary to raise and maintain the troops, without which it would be impossible to carry on a war."—[*Ibid.* 1458-9.]

The clause having been withdrawn, he brought it forward in a new form—namely—

> "Except for preventing or repelling actual invasion of Her Majesty's Indian Possessions, or under other sudden and urgent necessity, the Revenues of *India* shall not, without the consent of Parliament, be applicable to defray the expenses of any military operation carried on beyond the external frontiers of such Possessions by Her Majesty's Forces charged upon such Revenues."—[*Ibid.* 1696.]

There is the exact point of difference, and no one puts it more strongly than Earl Granville himself, for, on the second reading, he says—

> "The clause as it originally stood was as follows:—That, except in cases of great urgency, the Army in India shall not be employed beyond the frontier of Her Majesty's Indian Possessions without the consent of Parliament. Now, that appears to me to be altogether unconstitutional."—[*Ibid.* 1470.]

The whole point at issue under the clause was, whether the Prerogative of the Crown in moving troops was to be interfered with or not, or whether there should simply be a check upon the Prerogative of the Crown in the shape of power to refuse Supplies if it moved the troops improperly? I understood the right hon. Gentleman to say he approved the alteration; but there must be some mistake in the matter, judging from what occurred when the question was previously discussed in Committee in the House of Commons. The Solicitor General suggested an alteration in the clause, so as to make it read—Her Majesty's Forces "maintained out of the Revenues of India" shall not be employed, &c.; but Mr. Wilson urged that, instead of "Her Majesty's Forces in the East Indies shall not be employed," &c., the clause should provide that "the revenues of India shall not be employed for such purpose, except with the consent of Parliament" — an alteration which, he said, would leave the Prerogative of the Crown in respect to the employment of Forces unimpaired. Well, that was the view the House of Lords adopted; but the right hon. Gentleman, who had brought forward the clause, said that, while he had no objection to the alteration proposed by the Solicitor General, he did not think Mr. Wilson's proposal a desirable one.

MR. GLADSTONE: I changed my mind on further consideration.

MR. ASSHETON CROSS: I am very glad to hear the right hon. Gentleman did change his mind.

MR. GLADSTONE: The right hon. Gentleman misunderstands me. My objection to Mr. Wilson's clause was that it would not answer the purpose it had in view. When we came to consider Lord Derby's proposal, on the contrary, I saw that the consent of Parliament—by which I always understood, and now understand, the previous consent of Parliament—would be an efficient check, and that the clause would not be open to the objection, which I admitted, of interfering with the Prerogative of the Crown.

MR. ASSHETON CROSS: Having changed his mind once, the right hon. Gentleman I hope, on looking over these debates, will change it again. As I have said, the point discussed in both Houses in 1858 was, whether or not the power of the Crown to move troops should remain unimpaired, and the argument used against the proposed change was, that in the case of military operations in Java, Egypt, or other places, the consent of Parliament might not be obtained in time. No Minister under the sun would think of using these troops without coming to Parliament as soon as he could; but before he could get the money he was to have the undoubted Prerogative of the Crown at his command for the movement of the troops. Well, I say that that is exactly what we have done. I see that the hon. Gentleman the Member for North Warwickshire shakes his head. I grant you may say that the circumstances which led us to move the troops before coming to Parliament did not constitute an emergency, but that is not the point at issue now. In our opinion it was an emergency. What I want to put to the hon. Member for North Warwickshire is this. We are dealing with the question of legality or illegality. Can the hon. Member say that in no case under that clause could the Crown move the troops without the previous sanction of Parliament?

MR. NEWDEGATE remarked that he had never said that. Those who were in the House when he spoke would remember that he read the speech delivered by the late Lord Derby in moving the 55th clause. The noble Lord said that an emergency dangerous to Her Majesty's Possessions was distinctly excepted from the operation of the Act.

MR. ASSHETON CROSS: The one point on which we are at issue now is, whether the action of Her Majesty's Government was legal or not. It was for the Government to determine whether an emergency had arisen; but as to the question of legality or illegality, I say that the hon. Member has given up his point at once.

MR. NEWDEGATE again rose, but

MR. SPEAKER said: The right hon. Gentleman the Secretary of State for the Home Department is in possession of the House, and must be allowed to proceed to the end of his address. If at the end of that address the hon. Member wishes to explain, the House, no doubt, will give him an opportunity of doing so.

MR. ASSHETON CROSS: The right hon. Gentleman the Member for Greenwich went on to refer to two Constitutional questions, one of which is so closely connected with the Office of the Chancellor of the Exchequer that I would rather leave it to be answered by my right hon. Friend. It was said that we incurred a charge in respect of the Indian troops at the very time that we were carrying our financial measures for the year without proposing Ways and Means for meeting that charge. I will leave the Chancellor of the Exchequer to deal with that. But I understood the right hon. Gentleman also to say, that if at that time we could not lay Estimates upon the Table, at all events we need not have preserved secrecy as to our proceedings. He seemed to think that we might have come down to the House of Commons and said—"We want a million of money for something we cannot tell you about." Would not the right hon. Gentleman have declaimed against us in the strongest possible manner, and would he not have been the very first man to take the matter up? The right hon. Gentleman also says we have acted in an unconstitutional manner, because we have, practically, compelled Parliament to meet the expenditure which has been incurred without its sanction and knowledge. He said, in effect—"Parliament must give the Queen the money She has asked for, because, otherwise, the Government of India will come before us *in formâ pauperis*, and say the expenditure will fall upon this poor country of India." Then the right hon. Gentleman said—"When we were in Office, and had the Crimean War on our hands, we were content with Constitutional action, and we came and asked for a Bill, although it was in time of war." Well, of course they did; if they had not, they could not have had a single soldier in their service without it. It was, therefore, absolutely necessary, and I do not think they can take much credit for that. But when it comes, as it now does, not to a question of law, but a question as to how soon we are to ask Parliament for money to repay the Indian Service, it becomes much more like the cases of 1859 and the Abyssinian Expedition. I really do not want to detain the House at any greater length; but I hope I have shown that the accusations which have been made against the Government are, practically, untrue, and have been raised in the most inconvenient form that they could have been. I have shown, I think, good reasons why the Amendment should be preferred to the form of the Resolution of the noble Lord; and I cannot help thinking that the declamation about the liberties of the country being in danger, about dashing the Constitution against the rocks, and about the people standing up for their rights and liberties, will, when it has been considered, wear a very different complexion to what it was supposed to do on Tuesday night. I say there is no action of the Government that has called for any Resolution of this kind. I say that there has not been one single man raised who was not raised under the distinct authority of the Imperial Parliament. I say that the Queen has moved Her troops, as She has an undoubted right to do, and that, therefore, there has been no infringement of the Bill of Rights. I say, with reference to the second point, that there has been no infringement of the Indian Government Act, and that the Government have come down at once to ask Parliament to vote the money, as we were bound in duty to do. That is the check placed by the Indian Government Act against an ambitious Government or an unconstitutional Sovereign, and we have never violated the spirit of that Act. If it comes to a question as to the day when we should bring forward this matter, we may be asked, although we are not asked by the form of this Resolution, to give an answer on that point. But I am bound to say, as regards this whole matter, you know at the present moment, as well as anyone does, that it is absolutely impossible for the Government to enter fully into discussion of all the negotiations that are going on. If there is one moment in the negotiations when it is desirable to maintain silence on this part of the matter, the present is the moment. You know that no word must fall from my lips that would in the slightest degree provoke anger or jealousy, or tend to disturb the friendly relations which exist between us and other Powers, or that would in any way tend to prejudice that agreement of Europe, which, we hope, will be eventually come to, and by which not only peace, but lasting peace, will be preserved, and the interest and good government of the European peoples secured. I say it is unfair to press us on the point as to what we have done under an emergency. There is quite sufficient to show that there is an emergency, and, I think, the country will say we have done nothing but what that emergency absolutely warrants. I believe the people of this country will throw the accusations made against us by the right hon. Gentleman on those rocks on which he wishes our action against the liberties of the people to be thrown, and I am quite sure the verdict of the country will, in the long run, be in favour of the Government.

MR. NEWDEGATE said, he had quoted on the last occasion Lord Derby's own speech; but as it seemed that he was liable to some misinterpretation, he would read the 55th clause of the Government of India Act, which was as follows:—

> "Except for preventing or repelling actual invasion of Her Majesty's Indian Possessions, or under other sudden and urgent necessity, the revenues of *India* shall not, without the consent of Parliament, be applicable to defray the expenses of any military operation carried on beyond the external frontiers of such Possessions."

The words which the right hon. Gentleman the Home Secretary had challenged were not his words, but those of the late Earl of Derby. The object of the clause was to impose certain restrictions on the Prerogative of the Crown.

MR. SPEAKER said, the hon. Member was passing beyond the limits of an explanation.

MR. HERSCHELL thought there must still remain on the minds of hon. Members who had attended to this debate considerable doubt as to what was the position which the Government really intended to maintain. Some Members of the Government insisted that all that had been done, or was being done, was strictly in accordance with the laws and Constitution of the Realm; while, with regard to others, it was very difficult to say whether they agreed with that proposition or not. If it was contended that all that had been done had been in accordance with the law and with the Constitution of the Realm, this raised a question of very serious import, and involved principles which to some at least on the Opposition side seemed novel and dangerous. On the other hand, there were Members of the Government who seemed to rely not so much on the contention that what had been done had been strictly within Constitutional limits, as upon the contention that the Government were justified in overstepping those limits by the emergency in which they found themselves. That was a different question, but even as to that, considerations of no mean moment arose; because, suppose the Government were driven from strict Constitutional limits, it was important to consider what was the course they should take, and what was the course the House ought to take, to secure from danger the Constitutional principles violated. One thing was clear, that in discussing this matter these two things must be kept separate. That he intended to do. The House had been distinctly challenged by the Chancellor of the Exchequer upon this question of Constitutional right. The right hon. Gentleman said the fact that troops were being sent to Malta had become public sooner than he anticipated; but that even had the Government known that the intelligence would have been communicated to the public so soon, they would not have considered it necessary, under the circumstances, to communicate it to Parliament. That he (Mr. Herschell) considered was an ostentatious assertion on the part of the right hon. Gentleman of the right of Her Majesty's Government to act in this matter behind the back of Parliament. The Opposition would have abandoned their functions if they did not protest against a proposition which was, in their opinion, opposed to the Constitutional rights and privileges of the people. The acts of to-day became the precedents of to-morrow, and might be used hereafter under different circumstances, and by other persons, for very different purposes. Therefore, it was their duty to see that unconstitutional rights were not claimed by the Government, or, if they were claimed, that they were not acquiesced in in silence. He (Mr. Herschell) maintained that the proposition in the Resolution of the noble Marquess had not been displaced by the arguments which the House had heard. What was the claim set up? That the Crown had the Prerogative in a time of peace of increasing indefinitely, beyond the number voted by Parliament, the Forces kept in its Dominions, and of keeping up a standing Army in time of peace, without the consent of Parliament, anywhere outside the United Kingdom. The Attorney General laid down that claim with startling clearness. The Home Secretary had said the Government were not to be judged by the words of their Attorney General; but he wished the Home Secretary had told the House how far he agreed with the Attorney General, and how far he disagreed. He listened with the greatest attention possible for the purpose of discovering that, but was wholly unable to do so, though there fell from the right hon. Gentleman at the end of his speech expressions which seemed to state the propositions in terms not very different from those used by the Attorney General. What he (Mr. Herschell) and the other Members of the Opposition maintained was that the principle of the Resolution proposed by the noble Lord the Member for the Radnor Boroughs was established not merely by the Bill of Rights and by the Mutiny Acts, but also by two centuries of Constitutional precedents and practices. The Attorney General had told them that the Bill of Rights did not declare the law, but made it; but surely the framers of that famous Statute must be supposed to have known what they meant by enacting it; and when they asserted that it was a declaration of the Common Law as it existed up to that time, he would prefer their interpretation of it to that of his hon. and learned Friend. As to the argument that it was limited to the Kingdom of England properly so called, he would rather rely on the opinion expressed by Lord Camden and Lord Bathurst than upon the dictum of the present occupant of the Woolsack, however eminent he might be; for there was this difference between them—that Lord Cairns was delivering judgment in his own case, whereas Lord Bathurst was admitting a doctrine which assailed the Government of which he was himself a Member. With respect to the argument of his hon. and learned Friend, that owing to the urgent character of the emergency in which the country was placed the present time could not be regarded as a time of peace, he could only say that his hon. and learned Friend was living behind his time, as he would have been an excellent adviser of the Stuart Kings, since there was never a time in the history of the country when the Monarch might not have similarly justified the maintenance of a standing Army without the consent of Parliament. It was an error to think that this question could be decided by the strict language of the Bill of Rights. The operation of many remedial Statutes had been often extended beyond their strict terms by the manner in which they were acted upon. It was important to see how the Bill of Rights was understood by those who framed it, and how that compact between the Crown and the people was carried into effect immediately upon its becoming law. Immediately after it became law two steps were taken for the purpose of carrying it out—one was the passing of the Mutiny Act, and the other the voting of the men to whom that Mutiny Act would apply. The effect of the first was to enable the Sovereign to have a standing Army, for without the Mutiny Act the men, of course, would have been an undisciplined rabble. The effect of the other was to fix the number of men to whom the Mutiny Act was to apply. The Mutiny Act applied not only to troops within the United Kingdom, but to the troops of the Crown, wherever they were, in the Sovereign's Dominions outside the Kingdom. Parliament voted the number of men to be employed outside the Kingdom and the money for their maintenance in the same way that it voted the number of men to be employed in the Kingdom and the money for their maintenance. And since the time when the numbers were inserted in the Mutiny Acts, the number of the Forces which the Crown was enabled to keep as a standing Army was determined in terms not with reference to the wants of the United Kingdom, but of the Empire at large. In fixing the number, Parliament took into consideration the fact that the Crown must keep a large part of its Forces outside the United Kingdom. But what was contended for now? Why, that the Crown might from other sources replace every man outside the United Kingdom and bring the total number judged by Parliament necessary for the protection of the entire Dominions of the Sovereign within the United Kingdom with perfect legality and in accordance with Constitutional law. Did that carry out the compact between the Crown and the people? Was that consistent with the course which had been followed by Parliament for nearly two centuries in voting the men, fixing the numbers, and passing the Mutiny Act? Was it consistent with the course which had been pursued ever since Parliament had established its control over the limits and numbers of the standing Army? Precedents had been relied on upon the other side; but it was easy to have precedents, if one was not particular about the facts. No doubt, in many respects, India was in an exceptional position. Since the Forces of India had become entirely the Forces of the Crown, the Queen had in India a large standing Army under no control of Parliament and under no annual Mutiny Act. But the question was, what could the Crown do with that Army? It was one thing to say that the Crown, by virtue of its Prerogative, had the power to move the Indian troops out of India; it was another thing to say that the Crown could bring them within its other Dominions. No doubt, it was within the Prerogative to move them to Abyssinia, for example; but was it within Constitutional right and principle to bring them into Her Majesty's Dominions outside India, thus extending indefinitely the number of men entitled to serve in those Dominions? The precedents of the Indian troops serving at Singapore and Hong Kong were against hon. Gentlemen opposite, because those troops were voted by Parliament as well as the Supplies for them. From 1865 to 1871, the number of these men was every year voted by Parliament, and the voting of the men by Parliament was the authority—and the only authority—given for some years after the Bill of Rights for keeping them within, as well as without, the Kingdom. The Attorney General had put cases in which he said it would be idle to wait for the consent of Parliament. He quite agreed with his hon. and learned Friend. But, because there might be cases when it was desirable to overstep the limits of the law, it did not follow the law was not as stated; and yet that was the argument of his hon. and learned Friend. It was said that this was a case of emergency; and that, in cases of emergency, it was absolutely necessary sometimes to step outside the law. If the Government put it on that ground, many on that (the Opposition) side of the House would feel the greatest satisfaction. If the Government would abandon the unconstitutional doctrines which some of them, at least, had put forward; if they would not seek to convert this step into a precedent which might have dangerous consequences; he and many who agreed with him would be extremely glad. But, instead of taking that course, they put forward a doctrine the logical consequence of which was that if Parliament refused to pass the Mutiny Act, and thereby destroyed the standing Army in the United Kingdom, the Queen might keep a standing Army of any number anywhere else in Her Dominions—say, for example, in Guernsey. If the Government would put their case on the ground of emergency alone, it would be a very different thing, because it might often be the duty of a Government, in circumstances of emergency, to step outside the strict path of the Constitution. He did not dispute that for a moment, and he believed that nobody on his side disputed it; and if hon. Gentlemen opposite would only abandon their unconstitutional doctrines, there was, he was sure, no desire on the part of those sitting near him to make the difference between the two sides of the House more extensive than it need be. They had been informed that evening that the troops had to be secretly brought because of matters which could not be communicated to the House. But what said the Chancellor of the Exchequer on the eve of their adjournment at Easter, and on the very day before the announcement was made that these troops were to be moved from India? Why, they were assured that there was nothing new, no fresh cause of apprehension; that they might depart to their homes calmly, without delaying their holidays for a day or an hour. There was surely a great discrepancy between those two distinct representations. Assuming that this was a case of emergency, what ought the Government to have done? They ought not to have stepped further beyond the strict limits of Constitutional right than was absolutely necessary; and if they did step beyond those limits, they ought to have returned within them as soon as possible. When the House met again after the Recess, what was there to prevent the Chancellor of the Exchequer from laying at once on the Table a Vote for the men, and saying that, although it was impossible before to communicate to them the fact of the ordering of those troops to Malta, now it was known, he would urge the plea of necessity, that he proposed to ask them to vote 7,000 additional men within the Dominions of Her Majesty, and also to vote the money to pay for them? But was that the course taken, or the tone assumed? Nothing of the kind. They were told, on the contrary, that it was not necessary that any such communication should be made to Parliament at all. That was the way in which Parliament was treated. Surely, it was at least incumbent on the Government to have shown as much deference as was possible in the circumstances to Parliament? It was, therefore, the duty of those on his side—whatever course hon.

Gentlemen opposite might think fit to take—to stand up for the rights and privileges of Parliament, and see that they were properly asserted. The right hon. Gentleman the Home Secretary had found fault with the particular terms of the Resolution; but he shrewdly suspected that any other terms would have been unsatisfactory to the right hon. Gentleman, except those of unequivocal support and admiration of the Government. He must protest against the doctrine that, whenever they criticized a departure from Constitutional right, they were to be called upon to formulate a Vote of Censure. What was that but virtually telling Gentlemen on his side —"It may be that we cannot refute your argument, but we may, at least, be able to out-vote you?" When a greater emergency than the present existed, and the country was actually at war, the present Prime Minister himself made speeches of a severe and trenchant character against the acts of the Government of the day, without following his criticisms up by a Vote of Censure. The Resolution now before the House had not been put down with the intention of embarrassing the Government. [*Laughter.*] He knew the belief of Roman Catholics in the infallibility of the Pope was as nothing to the belief of hon. Members opposite in the infallibity of Her Majesty's Government. He should be the last to desire at a time like this to embarrass the Government. ["Oh, oh!"] Well, he did not care whether he was believed or not by those who apparently were unable to conceive that anyone could honestly differ from them. There were many on his side of the House who were fully conscious of the deep responsibility which rested upon Her Majesty's Government, and would not wish to embarrass it in the least. But they were not on that account to abdicate their right to vindicate the principles of the Constitution and the Privileges of Parliament. Even now many of them would be very glad to be saved the necessity of affirming that Constitutional principle by finding it admitted by the other side. They seemed to be charged with faction. A similar charge had been made in the debates of 1775 against Edmund Burke, a man whose name would live in the memories of his countrymen, while few cared or knew anything about the Minister who uttered the charge. Again, they were charged with a want of patriotism. It might be as factious and as mischievous to the country to exaggerate and misrepresent the difference between them, as it was to give utterance to the differences. In supporting the Motion they had no desire to diminish the real Prerogatives of the Crown; but they desired to preserve those checks and limitations which the wisdom of their ancestors had imposed on them as being essential to the just balance of the Constitution and the well-being of the nation. And it was by cherishing those safeguards, not by disregarding them, that they would best maintain not only the liberties of the people, but the security of the Throne.

MR. ROEBUCK: It is, Sir, with great reluctance that I rise to take part in this debate. It appears to me that the debate itself is most inopportune, and that the mode in which it has been conducted, as well as the origin of it, is exceedingly mischievous. Why is the debate inopportune? Let us look at the exact state of the country when this matter was brought before Parliament. I do not wish, Sir, to enter into a sort of discussion which is more fit for a Court *in Banco* than the House of Commons. I wish to look merely at a political action on the part of the Executive Government; and I ask myself whether that political action is for the benefit of the country, or not. What is the state of things? It is said that we are in a state of profound peace. Does anybody believe that? It may be that to-morrow —aye! to-morrow — it may be made manifest to the people of this country that we are on the brink of war; and in this state of things, when the whole interests of the country are concerned, and when she is standing up for a great principle of European conduct, when she is the Representative of the great light of Europe, our country is to be assailed—how? Not by the Great Powers on the Continent who may be opposed to us, but by her own people. Is it not of the utmost possible importance at this moment that our opponents abroad should know and believe that the people of this country are a united people? But can it be supposed that the Monarch with whose Government we are now negotiating, does not listen to everything that is said in this House, and does not ask himself how the great men on the front Opposition Bench can speak as they do, if they believe that the people of this country are prepared to defend the interests of Europe in the way in which I think they ought to be defended? Does not everybody know that every sentence, every word which is uttered here, goes by telegraph to St. Petersburg; that it is there weighed, not merely by the Monarch of that country, but by his Executive Government, and that the one great thing which animates them throughout, in their opposition to England, is the notion that we are a divided, and therefore a weak people. I would ask the House, and I would ask my country, to weigh in the balance the conduct of the two sides of this House. On the one side we have the Executive Government, and will anybody say that they are not desirous to maintain the true interests of England? Will anybody say that they are not conversant with all the difficulties of the position in which they are placed, and that they have to meet not merely the difficulties abroad, but the difficulties at home? And yet, notwithstanding that, they stand firm in their determination to maintain the interests of Europe against an overruling and a despotic Power. That is the conduct on that side of the House. But what is the conduct on this side? Why, that when the Government are in this difficult position, when the interests of England are at stake, and when every word said here will either strengthen or weaken their power, hon. Members on this side come forward—with what? With a vague, general proposition on some point of technical law, which the House of Lords do not dare to call in question. And for what purpose is that done? The hon. and learned Gentleman who preceded me has said that it has been supposed, and said that it has been done for the purposes of faction. If it is not done for the purpose of faction, for what purpose has it been done? It is said that it has been done for the purpose of maintaining the great principles of the Constitution. What is the real point in debate?—because that is the question. Where is the danger to this country, to the liberties thereof, or to the power of this House? Why, it is reduced to this—On that side of the House, Ministers, looking at the resources in hand, have asked themselves what they could gain in the way of assistance from the great outlying Possession of India, and they have found, as they believe, that in the Army of India they have the means, not merely of strengthening themselves, but rather of terrifying their enemies. The Government, on that side, say that it is the undoubted Prerogative of the Crown to move any portion of the Army of the Sovereign of this country to whatever place the Sovereign may determine, the Kingdom of Great Britain and Ireland only excepted. Now comes the point upon which the great question turns. Gentlemen on this side say—"No, the Crown has not that power, without the consent of Parliament." But where is the danger? If the troops are moved, and they are now being moved, what will be the result? They must be paid; they cannot exist a month without pay. Can they be paid without the assistance of Parliament? [Mr. GLADSTONE: Hear, hear!] Aye! hear, hear. I want to know whether this is not the real question at issue? Is not the power of the House what it was before? And if it should turn out that Parliament decides not to pay the troops, I want to know what would be the consequence? Why, the Government opposite would be driven out of power as chaff before the wind—they could not exist there for a moment. They would not only be reduced to the level of us private people, but they would run great risk of being impeached. But is there any danger on either one side or the other? Do Ministers fear impeachment, or that what they have done will be condemned and punished by the people or by the Parliament of this country; or do they think that hon. Members on this side believe that the Government ought to be impeached? It appears to me, Sir, that when a man has risen to power and exercises sway over the minds of a great portion of his countrymen, he ought gravely and strictly to weigh every step of his conduct; and when in a grave crisis like this such a man comes forward and talks the wild talk he does, and renders people almost terrified by his vaticination, does he not believe that he is injuriously affecting the mind of a great portion of the people and strengthening the enemies of his country? You talk about patriotism, and you stand up for the rights of the people and the Privileges of Parliament, and you talk of the danger of being trampled upon by the Crown. I ask for a moment, is there a man of sane mind in this country who believes in any one of these cries? Does he believe that because 7,000 men have been removed from India to Malta without Her Majesty's Government previously telling Parliament what was about to be done—does he believe that the interests or the liberties of the people of this country are in the least danger of being infringed? Does he believe that the power of this House is less to-day than it was the day before the troops were moved? No, Sir, he does not believe it! I will describe what I think ought to have been the conduct of the Opposition at this time. It is the duty of the Opposition to watch the conduct of the Government. When this thing was discovered, they ought, in my opinion, to have come down to the Government and said—"We learn that such and such has occurred, and we believe that you have acted in a way that is contrary to the Constitution of this country, and we want you to explain what you have done." The Government would then have said—"We have acted in a great emergency; we think that secrecy is a matter of great importance. There are great difficulties, and everybody must know those difficulties, in moving those troops; and we do not at the present moment wish to discuss this question, because we believe that it is for the interest of this country that it should not be discussed." What ought, then, to have been done? The Leaders of the Opposition ought to have said—"We give you credit for what you have said; but, mind, we shall call you to account. The time will come when Parliament will step in, and will ask gravely why you have done this; and if you are not able to give us a satisfactory answer, then we shall move a Vote of Censure." That would have been straightforward and honest conduct. But what have you done? Not wishing to call in question the policy of the Government—no, not openly—you bring forward an abstract Resolution, which, if passed, would be a censure upon the Government, and you throw difficulties in their way on all points which prevent them from bringing forward a complete defence of their policy—that complete defence which I hope they will make, but which, if they do not make, they will find me as much opposed to them as any right hon. Gentleman on the front Opposition Bench. When they come to make that defence, they will make it with respect to their policy. They will say—"We thought, and we now think, such-and-such to be the law; but if we have overstepped the law, these are the grounds which induced us to do so." If those grounds are weak and insufficient, punish the Government; but do not interfere with them at the very moment when the interests and vitality of the country are concerned, and at the very monent when there is a crisis in the negotiations which are going on. While we are debating in this House, the Envoy of Russia is possibly laying before the Government the things he has to say on the part of his Sovereign, and negotiations are going on of the most delicate description. Yet in this state of things you come down and embarrass and trouble the Government with a Resolution of this sort. That is not what honest and patriotic men would do. But, Sir, this is not a departure from the rules of conduct adopted by the Opposition in this House. During the whole of the Napoleonic wars there was an Opposition in the House of Commons which did precisely the same thing—they hampered the Government, they abused the General, and until the battle of Salamanca, it was the one grand purpose of the Opposition to decry the Duke of Wellington. That is exactly what they are doing now. It is the same narrow Party spirit which guides their conduct. They feel themselves in the position that they cannot assail the Government directly; they cannot rush into their camp and say—"We will burn your camp over your heads by a Vote of Censure. Nay, we cannot do that, but we can trouble you; we can weaken the influence of your country, we can make England less powerful than she is, and we will do it." Yes, they are doing it to the utmost of their power. What other good—if that can be called a good—could result from the course of conduct which has been pursued? Does anyone believe that England will suffer from the debate which is now proceeding? I, for one, certainly do not think so; but I can easily imagine what has been passing through the minds of those who support the line of action which has been pursued by the noble Marquess who leads the Opposition in this House. They will have argued with themselves in this wise—" Oh, the Government is weak, and therefore we are delighted; the people of England may suffer, but our Party will gain." These were the only reasons I have heard during the three nights of the debate. There has been no generous conduct or generous feeling on the part of those who have opposed the Government. No one has come forward and said—" Though we think you have done wrong, the country is under your charge and the interests of it are in your guardianship. Therefore, we will not weaken your hands; we will do everything we can to aid and assist to maintain the power and dignity of England, but, mind you, we shall call you to account when the proper day arrives." If this had been done, the Opposition would have deserved the approbation and applause of the country. They might have said—" We have performed the duties of an Opposition; we have not weakened the country, but strengthened the forces of the Constitution. We have made Ministers aware that they have been under great difficulties as regards the Constitution of the Realm, and that there are men here who will never suffer that Constitution to be injured or weakened." If they had done this, they would have deserved and received the approbation of their countrymen; but, not having done it, I say, without hesitation, that they deserve, and will receive, their most severe reprobation.

Mr. HALL said, that there would be no one who had heard the patriotic words of the hon. and learned and venerated Member who had just spoken, but would applaud them from the bottom of his heart, and desire that they should reach the environs of the Empire and be re-echoed by the patriotism of the English people. He trusted that hon. Gentlemen opposite would be satisfied with the *exposé* by the hon. and learned Member of their conduct. The more moderate opponents of Her Majesty's Government did not, he thought, so much object to what had been done, as to the manner of its doing; and this was the same complaint that hon. Members on the Ministerial side of the House had to make in reference to the Motion of the noble Marquess which was now under consideration. He recognized the great advantage of having a Party in opposition which should, in the exercise of a responsibility second only to that of the Ministers of the Crown, criticize the course which the Government might take on on any particular occasion; but he counted it a great disadvantage that the Leader of the Opposition in the House of Commons should come down at a critical moment like the present and submit a Resolution calculated to embarrass the action of the Government and thereby to imperil the peace of Europe. It had not been proved that Her Majesty's Government had committed any breach of Constitutional law, and it could not be so proved; because, on grounds of policy, the Government had not explained their reasons for the course which they had taken, and therefore the grounds on which a judgment could be based were not in possession of the House. He remembered an occasion on which a Vote of Censure was passed upon the present Prime Minister when the House was not in possession of the facts on which the Motion was based, and he also remembered that when the facts became known, the House ate its words and revoked the Vote of Censure which had been passed by it. It might be said that the Resolution was meant to lay down a principle of Constitutional law which was to rule the action of the country for all time; but he warned the House against the tremendous responsibility which it would undertake if it consented to accept a vague Resolution drawn and placed upon the Paper, after very brief consideration, under the circumstances to which he had alluded. It was admitted that the Government might act as they had done in a great emergency; but if this Resolution was to become law, it would be quite impossible for the Government to act without the previous concurrence of the House and the country. If, in time of war, it was the duty of the Government to act without the consent of Parliament, how much more was it their duty to act on their own responsibility in time of peace—or rather in time when war was not actually declared—to avert war? How inconsistent was the Opposition. They said, why did not the Government come to the House and ask for a Vote of Credit, as it would have been granted?

But they knew what would have happened. The Opposition would have debated that proposal for a long time, and the Government knew it was their bounden duty not to waste more time than was possible in the course which they felt they must pursue. The right hon. Gentleman the Member for Greenwich (Mr. Gladstone) had drawn a lurid picture of England's liberties crashing in red ruin around us in consequence of the action of the Government; but the Leader of the Opposition Party, to which the right hon. Gentleman belonged, had not seen it necessary to ask the opinion of Parliament upon the subject. He had simply spoken in the House of Lords upon a Motion referring to a point of Constitutional law, and had not asked his Peers to accept a Motion such as certainly would not be accepted by the House of Commons. His hon. and learned Colleague said the other night that he approved the policy of Her Majesty's Government. He (Mr. Hall) was delighted to read that announcement in the papers, and he could not help asking himself how ancient was that conversion, and what had it to do with the public opinion out-of-doors? [Sir William Harcourt: I never said anything of the kind.] His hon. and learned Colleague must, then, settle his account with the reporters of *The Times*. He certainly was so reported. But if his hon. and learned Colleague did support the policy of Her Majesty's Government, it was a thousand pities that, during some of the crucial divisions which had been taken, he did not go into the Lobby with them, instead of leaving the House, thus setting a bad example to smaller men. Well, the country quite agreed with that opinion as to the policy of Her Majesty's Government, and the real practical question which would be asked by every common-sense Englishman was this—Is the end in view not sufficient to justify the movement of the Indian troops, which is one of the means of attaining that end? It was clear that that movement was on all fours with the grant of £6,000,000 and the calling out of the Reserves, each of which the House approved. It was one of the means by which Great Britain showed her resolve to stand upon Treaty obligations at all costs. The noble Lord opposite might, of course, question the propriety of employing Indian soldiers to settle European difficulties; but he ought not to forget that one of the principal aims of Her Majesty's Government was to safeguard other than merely British interests; that they had interests, perhaps primary interests, in Asia; and that, therefore, it would have been the height of folly to ignore Asiatic soldiers. Our interests were Imperial, and they must be Imperially defended. Did the noble Lord and his Friends mean to say that England was to tie one of her arms behind her back, on the principle *divide et impera*, in the interests of Russia? Were they to tell Indian soldiers that they were never to be employed except against their own fellow-countrymen? Was it not wiser to tell them they were free to help us to safeguard our interests in India or in Europe? History would so regard the matter. Lord Beaconsfield, notwithstanding all that his enemies could say, had proved himself to be a great statesman, and the loyalty of India was never so firmly riveted as it was on the day when the order went forth that the Native Indian troops of the Queen were not unworthy to stand side by side and shoulder to shoulder with Her European soldiers in defence of Her Empire. If the Government was right in maintaining that the Treaty of San Stefano ought to be subjected to a revision by the European Powers, let that determination be sustained with the resources of the Empire. Firmness at a great national crisis was often the harbinger of peace; discord—and more especially House of Commons' discord—might be the sure forerunner of war. Signs were not wanting that Europe approved the firm attitude of England. The French Press was almost unanimous on the subject, and the public opinion of that enlightened country approved the unflinching attitude of Her Majesty's Government. Owing to that firmness the Russian mission to Austria had signally failed; and now, the eyes of Russia, having searched in vain through Europe for sympathy, were fixed with feverish earnestness on Her Majesty's Opposition. Well, was the old game to be played a little longer, or would the noble Lord and his Friends adopt the advice of the hon. and learned Member for Sheffield (Mr. Roebuck)? He feared they would not. They would press this wretched Resolution—an act which he regarded as a deliberate attempt to embarrass the legitimate action of Her Majesty's Government. He wanted to know what was the compact that existed on the Opposition Benches, under which the noble Lord was to hunt not only with those above, but with those below the Gangway? They talked of a dual Government; but was there one Opposition above the Gangway going to vote for this Resolution, because it did not condemn the foreign policy of Ministers; because it would not pledge the noble Lord and his friends to any opposite course, and another Opposition below the Gangway going to vote for it; because it did condemn that policy, and because it would pledge this House, if adopted, to the tactics of the Birmingham League, he feared it was useless to appeal to the noble Lord or to his Friends. It would, however, be an extraordinary thing if they were able to persuade the English people that it was of no advantage to this country that she should find a latent power which no one had thought of, and which in time of war or under the apprehension of war would be to her of inestimable value, and which in time of peace cost the British taxpayer absolutely nothing. Surely, in the history of Parliamentary Government no Party had ever made so serious and extraordinary a blunder as had the noble Lord and his supporters? What fatal counsellor had the noble Lord taken to his bosom? What clever fellow had devised this expedient, and persuaded the noble Lord that the English people would not see through it. The English people would see through it. They would not be misled by all those legal technicalities. The Resolution of the noble Lord opposite he boldly arraigned at the bar of English common sense—public opinion; first, because it was unpatriotic; and, secondly, because it was ill-timed; and it was unpatriotic, simply, because it was ill-timed. If there were the smallest hope that the Resolution would be withdrawn, they might offer the olive-branch to hon. Gentlemen opposite, and forget the past; but, alas! there was no such hope, and therefore they must condemn it in no measured terms. If the noble Lord had waited until the existing strain was lessened, until the present tension was passed, and then come down to the House of Commons and asked them to carefully consider anything he thought he had discovered in the conduct of Her Majesty's Government which was fatal to that Constitutional discipline which they all desired to see maintained, the House would have given a careful and candid consideration to his Resolution; but to move it now was needlessly, at a most critical moment, to embarrass the action of Her Majesty's Government.

Mr. WADDY: As time is of great importance, and we have a serious matter to discuss, I shall not follow the hon. Member for Oxford, who has just sat down, through the somewhat excited irrelevancies in which he indulged; nor will I refer at any length to the observations of the hon. and learned Member for Sheffield, who, from his years, is possibly entitled to more respectful consideration than he would otherwise have received at our hands. We cannot help rejoicing that the old spirit still exists, even though there be some diminution of the old strength. At the same time, we can only bewail that the charming impartiality with which he formerly dealt with both sides of the House has disappeared, and that the hon. and learned Member reserves his favours entirely for those among whom it is his pleasure to sit. Times change, and, of course, people change also; but it is on record that the hon. and learned Member, in 1857, spoke strongly in reference to the employment of Indian troops in a war in which we were then engaged, describing it as an unconstitutional proceeding. On that occasion he strongly denounced the conduct of the noble Lord then at the head of the Government, and declared that it had been reserved for a Liberal Prime Minister to cast a slur and stigma upon the House of Commons, and he even went to the length of bringing forward a definitive Resolution condemning the conduct of the Ministers. If the hon. and learned Member had been in his place, I should have read extracts from his speech, but in his absence I refrain. The question actually before us is one of the deepest importance—it is one of principle—and does not, as has been suggested, depend on the existence of a supposed emergency, or on mere financial considerations. The question of emergency might afford ground for an attack on the policy of the Government; but this is comparatively unimportant. The matter is far too serious for Party struggles, or a Party division. I care little what may be the result of the debate with regard to numbers. I care not whether a Vote of Censure is passed on the Government or not; but it is an important matter whether a breach has been made in the Constitution. We have pursued precisely the course which the hon. and learned Member for Sheffield says we should have adopted. When we were informed of the novel action of the Government, the question was fairly and frankly asked, whether the number of men allowed by the Mutiny Act has or has not been exceeded? What answer have we obtained? It is admitted that such is the case; but, instead of pleading emergency—a plea which, if made, should, in my opinion, be received with great consideration—the Government replies that the Resolution to call Indian troops to Malta was taken some time ago, and that it was not necessary that such a decision should be communicated to Parliament. Now, that answer lays down a most serious, and as we think, a most unconstitutional and dangerous principle. It propounds an issue which the Opposition were therefore in duty bound to accept. But it should be accepted and fought in no factious spirit. The view taken of the matter by myself, and—as I have reason to know—by many of my Friends near me, is not factious. It is simply this—By some means or other the Government has been misled, and they have stepped over the lines of the Constitution, but no actual and serious mischief has been done, and the breach has not been committed wilfully; if, therefore, the Chancellor of the Exchequer now comes forward and admits that there has been a transgression of the law, relying for his justification on the emergency which some of his Supporters seem doubtfully to plead, we should be ready to do anything to save the Government from annoyance and trouble. But, if this ground be not taken, then we must earnestly contend that the act of the Government is utterly illegal and unconstitutional. They have practically increased the standing Army of the country by 7,000 men without consulting Parliament, and, when called upon to account for it, they answer—not, "There is an exigency," but "the movement of the troops is quite within the Prerogative of the Crown; you have nothing to do with it, except that if you bide your time, you will have the pleasure of paying the bill." No doubt, an Army when raised is under the care and management of the Crown; but the raising of an Army belongs to Parliament, which has always restricted its strength by mentioning either the number of men or the money to be expended—which is practically the same thing—or both. It is said for the Government, that the Crown has two Armies, the Forces of which can be interchanged in any way, although the result might be that you might fill every Colonial garrison with Indian troops, and so liberate the whole domestic Army for any purpose the Crown pleased. As the Indian Army is practically unlimited, there would be no restriction on the augmentation of the domestic Army for purely political purposes. In the view of the Opposition this is not a question of finance, but one of the liberties of the country. It was no question of finance at the time of the Bill of Rights. James II. kept 30,000 men out of his Civil List; he did not ask for a farthing on their account from Parliament; but he had no right to have them at all without the consent of Parliament; that was the complaint made against him; the country would not submit to it; and, practically, the Government is doing the same thing now. It is true that in the list of charges against James, contained in the Preamble of the Bill of Rights, there was a double complaint with respect to these Forces. It was declared that James had done wrong by raising and keeping a standing Army within this Kingdom without the consent of Parliament, and by quartering soldiers against the law. Afterwards, when the Declaration was embodied in the Act, nothing was said about finance or about quartering; but the thing forbidden was the having the men. We do not anticipate any danger now, but we are bound to provide against their future occurrence. The argument against the legality of the movement of these troops is based on several grounds. It has already been stated, repeatedly, that we hold it to be a clear infringement of the Bill of Rights; that it contravenes both in letter and spirit the provisions of the annual Mutiny Acts; and I shall also contend that it is a direct breach of the very Act passed for the regulation of our Indian relations. I do not propose to add anything to the observations which have been made by hon. Members on this side of the House on the subject of the Bill of Rights, for those arguments have not been met by the Supporters of the Government, and they are, practically, unanswered. The only attempt at a defence was that which was made by my hon. and learned Friend the Attorney General, and it is a remarkable proof of the propriety of our contention that, finding it impossible to support his arguments by history, he has ingeniously provided a new history to fit his arguments. The reply of the right hon. Gentleman the Member for Greenwich has exhausted that part of the subject, and I turn to the consideration of the Mutiny Acts, because I think there are certain views of them which have not been adequately developed, and certain quotations which it will be useful to make. The Supporters of the Government have two modes of avoiding the restriction on the Prerogative which we say is contained in the Mutiny Acts. They rely on the form of words. They are—

> "Whereas the raising or keeping a standing Army within the Kingdom in time of peace, unless it be with consent of Parliament, is against law."

The Government points to the words "within the Kingdom," and to the words "in time of peace," and they found an argument on each of those expressions. They say—first, that those Acts refer only to the Kingdom of Great Britain, and not to the Colonies or to troops employed in foreign operations; and, secondly, that the Acts provide only for times when we are at peace with other nations. I contend that both these suggestions are totally unfounded. I shall show, I believe, that the Acts cover all Her Majesty's Dominions at home and abroad, and that they provide not only for "time of peace," in the sense in which those words have hitherto been used in this debate, but for all periods and exigencies of external war. Of course, if any part of our territories should be assailed, the principle would apply—that *inter arma legis*. But a careful analysis of the Preambles of the Acts, and especially of the earlier ones—to which no reference has hitherto been made in the course of the debate—will show that the "peace" there mentioned is only peace as opposed to civil or internal war, and, with this exception, they provide for all the contingencies not only of threatened, but of actual conflict. It would occupy the time of the House unduly, if I were to deal with these questions separately, and to read the Acts twice, to support first one contention and then the other; and I will endeavour, as briefly as possible, to show now their bearing on both points. The language of the Mutiny Acts was borrowed, in the first instance, from the Bill of Rights. It was obviously desirable, then, to cleave closely to the precise expressions used in that great Charter, and it was equally important to preserve the same formula in succeeding years. But, to appreciate the meaning of the word "now," we must ask, what did they mean "then?" and it has been admitted by the Lord Chancellor in "another place," and by the Attorney General in this debate, that the word "Kingdom" originally included all the Dominions of the Crown. And, as those Dominions extended geographically, the political meaning of the word extended with them, until 1858. There never have been two Armies — one for our home, and one for our foreign possessions. The one Mutiny Act has been the only authority under which any Army has existed, and it has contemplated the defence of all our territories and the maintaining of our wars in all parts of the world. The Attorney General has argued with great energy, and amongst the cheers of his Friends, that danger of war should be considered tantamount to war, and justifies a breach of the Act. He would not have committed himself to such an argument, if he had referred to the very first Mutiny Act, passed in April, 1689, which, after reciting that it was against law to raise or keep a standing Army in time of peace without the consent of Parliament, says that it was adjudged necessary to maintain Forces "during this time of danger." But the case is far stronger. Not only is "danger" no ground for extending the Prerogative, but even actual war is provided for specifically, showing that both peace and war are supposed to exist together, and that the peace so mentioned is, as I have said, only peace from internal war. For, in the same year—1689—there was a second Mutiny Act passed six months after the first. At that time the danger had become a reality. The war had actually broken out with France, and the words of the Act were "during this time of war"—and we shall find that this, or a similar form, has been constantly adopted since that time. Another amazing statement was made by the Attorney General—that though, after the Revolution, troops were maintained in Ireland for many years, these were outside the Mutiny Acts, and were never provided for by them. Why, the very first Act sets forth that the Forces it allows are "for the safety of the Kingdom, for the common defence of the Protestant religion, and for the reducing of Ireland." The same form is repeated in the second Act. In 1690, the words are "for the reducing of Ireland, and for the carrying on of the war against France." Similar language is found in the successive Acts, and the same principles have governed Parliament from that time to this. I shall not detain the House by multiplying examples, but will come at once to later times, pausing only for a moment on the year 1814, when, in the very height of our struggle with France—when, if ever, an excuse might have been found for neglecting the law—the Act will be found to prescribe every man that was to be enrolled for the defence of the Kingdom, our Colonies and Dependencies. The next year to which our attention should be specially directed is 1857, the year before India was transferred from the control of the Company to the sole Dominion of the Crown. Up to that time we claimed no jurisdiction over the Native Army, and much of the confusion that has marked the arguments of hon. Members on the other side, arises from their not having distinguished between the Indian Native and the Indian European Armies. The Mutiny Act of that year provided for our entire domestic Army, carefully excluding any of the European regiments that should be in the territorial possessions of the East India Company, but as carefully including all those which were recruiting at home. The state of things, therefore, at that time was this—The European Army in India might be transferred to this country, or elsewhere, for the Service of the Crown; but, if so, it must appear in the enumeration in the Mutiny Act; but the Native Army was not at our disposal for any purposes whatever outside the possessions of the Company. I will show, immediately, that this is still the law; but I will first challenge the other side to accept a simple and conclusive test. We are told that we may move these 7,000 Native soldiers to Malta, because the Imperial Army and the Indian Army are now one, and the Crown has the power to transfer its troops at pleasure, to or from any part of Her Majesty's Dominions. Then, can you bring back to England or Malta, or place on the Imperial Service and Revenue 7,000 European troops, not included in the Mutiny Act, because they come within the excepted troops in India? Most, if not all, of the instances which have been given on behalf of the Government do not touch this question at all, for the simple reason that they are cases in which the troops have been employed within the territorial possessions of the East India Company, and are, therefore, clearly outside the Imperial jurisdiction. The geographical limits of those territories were defined by Charters, and have been repeated and ratified by Acts of Parliament down to the present reign, and include all the territory between the Straits of Magellan and the Cape of Good Hope; so that the Expeditions to China, Abyssinia, and so forth, are quite beside the question. The test to which I invite the Government is simple enough. You are authorized to have within the Dominions of the Crown a certain number of European troops. That authority expressly excludes the European Army of India. Do you maintain that you are entitled to bring over 20,000 Europeans in addition to those allowed by the Mutiny Act? I do not think anyone will be found bold enough to assert that right. Then, if you cannot bring Europeans, by what right can you bring Sepoys? If they are one Army, one argument applies. But the fact is that they are not one. The Native Army is entirely governed by Articles of War made by the Governor General, while the European troops are governed by an annual Mutiny Act and distinct Articles of War; and yet we are bravely told that Indian Native troops and European troops are convertible terms. It remains for us to ascertain what new powers have really been conferred upon Her Majesty in consequence of Her taking the place of the old East India Company. What are the powers which the Governor General and the Company possessed, and to which the Crown has succeeded? The military power of the Company was founded, or, at all events, consolidated, by its most important Charter in 1698, and was recognized and ratified by the East India Mutiny Act, 26 & 27 *Geo.* II. c. 9. Both the Charter and the Act restricted the use of the Indian Army to the defence of the Settlements, Plantations, and Factories within the limits of the Company, and evidently never contemplated the possibility of the men being called upon to serve elsewhere. An attempt has been made to extract from some words in the Act of 1833 an implied, but not an expressed, justification of the action of the Government. That Statute gives the Governor General certain powers with respect to the troops, "wheresoever they may be serving." But those words must, of course, be interpreted by their meaning at the time they were used. In 1833, they could only be employed by the Governor General within his own jurisdiction. He could not send them to take part in any operations outside that limit. The "wheresoever," therefore, cannot extend the authority of the Governor General, or the duties of his troops, beyond the territories confided to him by Charter and Statute. This, then, was the state of things until 1858, and in that year the Company expired, and the Crown took its place. India became a Colony or Dependency of this country on one of two principles—either its relations with us became the same as those of our other Colonies and Dependencies, or they were modified by its preceding history, Charters, and Statutes. No other terms have ever been sanctioned by Parliament, and without such sanction no others can exist. And on neither of these hypotheses can the present claim of Prerogative be based. There is, however, a very important fact still to be observed. The conditions of our rule were authoritatively settled by the Act of 1858, to which reference has already been made. But the most important section of that Act has not hitherto been cited. We have had a long discussion about Section 55, and the implied arguments to be based upon it; but, after all, it is merely a financial section, and does not directly affect the question of the troops. But the next section is precisely in point. It is as follows:—

> "The military and naval Forces of the East India Company shall be deemed to be the military and naval Forces of Her Majesty, and shall be under the same obligation to serve Her Majesty as they would have been under to serve the said Company, and shall be liable to serve within the same territorial limits only,"

&c.; and such Forces were to be and continue subject to all Acts of Parliament and laws of the Governor General, and all Articles of War relating to the East India Company. It is true that the 57th section gives certain powers to the Governor General of India in Council; but that does not affect our present argument, for two reasons. In the first place, those powers can only be exercised within his jurisdiction; and, in the second place, no such powers have, in fact, been exercised with regard to the Native Army, though they have with respect to the European troops. So that, apart from all financial considerations, there is a distinct provision that the only condition on which Parliament has sanctioned the authority of the Crown over this large Army is that it should not be used for purposes other than those for which it was designed, and should not become a factor in domestic politics, or a possible danger to our national liberties. Will any man in his senses, in the face of that clause, say that the Government was entitled to take these troops to Malta, Canada, or to any other part of the world? It cannot be said that the Act only applied to the then existing Army, for the clause goes on to say that it should apply to Forces hereafter to be enlisted. Thus, it is clearly shown, that it was never contemplated that these Forces should pass from the jurisdiction of the Governor General. There is, in fact, a definite warning against the step taken by the Government, who have decidedly acted in an illegal and unconstitutional manner. I entreat the Government to admit that they have overstepped the law, and I, for one, if they fall back on the plea of emergency, will not inquire too closely into that plea. It would be wrong on the part of the Opposition to needlessly criticize the action of the Government in a time of emergency and peril; but what I insist on is that, if the occasion appears to them to demand exceptional measures, they should not attempt to defend them on statutory authority, and to set up a dangerous precedent. The Attorney General has said that in the financial check which it can exercise, Parliament has almost complete control over the action of the Crown in these matters; but Parliament will not be satisfied with anything short of complete control. It has been stated that these Indian troops have been moved to Malta for the sake of making an impression, as to the great power which this country possesses, on Russia, or that they may be in readiness in the event of war breaking out. But if we are to commence operations by making a great breach in the Constitution—for such I maintain the act of the Government is—even though we should by that breach bring Russia to her knees and make her our vassal for centuries, such a result would be dearly bought. Whatever may be the consequences of the war, it is the safer course far to be true to ourselves and to the great principles of the Constitution.

"This England never did, nor never shall
Lie at the proud foot of a conqueror;
But when it first did help to wound itself.

. . . . .

Come the three corners of the world in arms,
And we shall shock them: naught shall make
us rue,
If England to itself do rest but true.'

Sir ALEXANDER GORDON said, he hoped that, before the debate was brought to a close, some explanation would be given in regard to Clause 56 of the Act, which appeared to limit the services of Her Majesty's troops in India to Indian territory. That was the only point on which he had a doubt in connection with this part of the subject. The hon. and learned Member for Sheffield (Mr. Roebuck), when he declaimed against anyone venturing to find fault with the Government at a critical time in the history of the country, seemed entirely to forget what occurred in 1854-5, when he himself moved for a Committee to inquire into the conduct of the Ministry of that day in regard to the Crimean War. Bearing in mind that fact, the hon. and learned Gentleman ought, he thought, to have some consideration for those who deemed it to be their duty not to vote blindly for the Government on the present occasion. For his own part, though he had been told that, as holding a position in the Army, he ought not to vote against the Government, yet he felt that it was because he had had the Mutiny Act before him for 40 years that he was somewhat qualified to form an opinion on the question under discussion. He had, he might add, the same doubts as to the legality of the step which had been taken by the Government which had been so well explained by the hon. and learned Member for Barnstaple (Mr. Waddy). He had listened to the debate with great attention, but he was still at a loss to know whether the Government rested their justification of the step they had taken upon its legality, or upon its necessity. He based his view of the matter upon the ground of its illegality and its violation of the provisions of the 55th section of the Act of 1858, whereby these troops were to serve only within the territorial limits of India, to which reference had just been made. He had carefully examined the whole of this question, and he believed that when these troops arrived at Malta very considerable difficulty would be found to arise in connection with trials by court martial. It was admitted that those troops were only kept in discipline by the Indian Articles of War, and the Articles in question, framed by the Governor General for Indian territories, did not apply to Malta. The right hon. Gentleman the Secretary of State for the Colonies thought it was necessary to keep the knowledge of the intended movement of these Indian troops secret on military grounds. He (Sir Alexander Gordon) had supposed there might be a diplomatic difficulty, but he could not see how there could be any military difficulty; and it was, he could not help thinking, somewhat alarming to be told, when we might be on the eve of embarking on one of the greatest wars of the century, that the practical difficulties, in a military sense, in the way of transferring 7,000 men from India to Malta were so great that the Government might have had to abandon the whole scheme of employing Indian troops at all.

Mr. ASSHETON CROSS: The question was one of time. The occurrence of the monsoon had to be considered.

Sir ALEXANDER GORDON said, he could not conceive how that difficulty could arise, because the monsoon did not begin in Bombay till the first week in June, and on the South coast of Madras it was a little earlier—about the end of May—and the decision of the Government was come to in April. He was glad, however, to find that it was not the military difficulty which had operated on the minds of the Government. It ought to have been stated, he thought, as a naval difficulty. He came to the House to give an opinion on points upon which he believed he possessed some slight information. He did not come there to walk or crawl in a narrow groove cut out for him by any Party Leader, but to state his views freely and honestly; and he trusted such further explanations would be given on behalf of the Government as would enable him to have the pleasure of going into the same Lobby with the Chancellor of the Exchequer.

Mr. J. HOLMS said, the hon. and learned Member for Sheffield had rebuked that side of the House for embarrassing Her Majesty's Government by the course they had taken on that occasion; but the hon. and learned Gentleman himself, in 1855, brought forward a Motion which in no small degree embarrassed the Government of that day, although he knew perfectly well that our Army was in the face of the enemy, and that the difficulties of the Executive were very great. No doubt, the hon. and learned Member brought forward the Motion from a sense of duty, and when he charged the Opposition with embarrassing the Government, he ought to remember that they, too, were acting from a sense of duty. He admitted that any Government in time of difficulty had a right to expect from the House of Commons not only great consideration, but complete indulgence; but when a Government asked for such indulgence, the House might fairly expect to have been treated with courtesy, frankness, and consideration. There were two points which they had now to consider—first, did Her Majesty's Government, in moving the Native Indian troops, contravene the spirit of the Constitution? and, secondly, how far did they, by withholding information, treat the House with disrespect? If the contention of the Attorney General was correct, that the power which had been exercised by the Government was a proper one under the Mutiny Act and India Act, the inevitable result would be that next year, in discussing the number of men, the House certainly need not be troubled with any Motion for reducing the numbers, for the Government would be able at any time to increase the number to an indefinite extent. Moreover, in that case, it would be necessary to discuss the question of the whole military services of the two countries—not only as to the number, but as to the quality of the men. The movement of the Indian troops was an infringement not only of the Mutiny Act, but of the Indian Government Act of 1858. With regard to the First Class Army Reserve, the Government had also done that which required some explanation. According to the Act of Parliament, no one was to be engaged in the First Class Army Reserve who was over 34 years of age. He had reason to know that men who, when they asked for re-engagement, were told that they could not be re-engaged in the Reserve, because it would be illegal, as they were over 34 years of age, were afterwards sent for and re-engaged.

General SHUTE rose to Order. The hon. Gentleman was discussing a Question which had nothing to do with the subject before the House.

Mr. SPEAKER said, that as the Question before the House was, that no Forces might be raised or kept by the Crown without the consent of Parliament, he did not think the hon. Gentleman was out of Order.

Mr. J. HOLMS said, the Government had treated the House rather as a voting machine than a Representative Assembly; they sought to rule without Parliamentary control, and did not give the House information of which they were in possession, and which it was absolutely necessary that the House should have. The only explanation which the House had got from the Government was, that it was their humour to do as they had done. Acts of that kind came upon the country with a surprise which was quite unnecessary. No doubt the intention was to alarm Europe; but it was absurd to suppose that five great Powers, who together could bring 4,000,000 men into the field, would be alarmed by our bringing some 7,000 troops from India. The result, however, was greatly to alarm the commercial community. When the Government declared they had nothing to tell the House, telegrams were the same day in the hands of merchants in the City stating that troops were to leave Bombay. The consequence of this want of candour was, that the trade of the country became paralyzed. He, for one, rejoiced at the resolute stand made by the noble Marquess the Leader of the Opposition, and he believed that the House would give the Motion now before it very considerable support.

GENERAL SHUTE said, his hon. Friend who had just sat down suggested that an Army of 10,000 English and 20,000 Natives would be sufficient for India. Did the hon. Gentleman know the vast area of our territorial possessions in India, our great extent of frontier, the warlike tribes on our frontiers? Did he know that the aggregate forces maintained by the semi-independent States within our own Empire amounted to upwards of 300,000 men; and, if so, how could he advance such an argument? He was puzzled to think what could be the object of all the laborious special pleading which the House had heard that evening, unless it was to reduce the power of England and to weaken our foreign policy. He had hoped, after the common-sense and most admirable speech of the veteran of the House (Mr. Roebuck), of whom they ought to be proud, followed by the most eloquent and able speech of the hon. Member for Oxford (Mr. Hall), they would be able to get away from the quibbles of the law and that most questionable logic. Confining himself to the common-sense point of view, and avoiding legal quibbles, he would speak of the diplomatic and military exigencies of the case. Russia had always less power than desire for aggression. Her great territorial space, and the thinness of her population, rendered her military power less formidable in proportion to her extent than that of other countries; but the Crimean War showed her what was necessary, and her railways had now been constructed with a view to strategical and original, rather than to other purposes. England was in a state somewhat similar to that of Russia, until the great political mind of the Prime Minister had solved the problem. He had shown us that we could concentrate speedily, though not so secretly as was desirable, for military purposes all the power of England—from her Colonies, Dependencies, and great Indian Empire—upon an important strategical point. Mere common sense forbade us to believe that this newly-developed power could ever threaten England's Constitution or England's liberty. Hon. Members opposite were animated by a sort of feminine vexation and spite that they were not let into a particular secret before the Recess, and a few had adopted a tone highly disapproved of by the majority of their own Party. One leading Liberal, in his constituency said to him the other day — "General, I am fast becoming a Tory;" and another, who owed a Baronetcy to a Liberal Government, had told him that the conduct of a certain section had made him ashamed of his Party. He should have liked to see the advanced guard of our Indian Army established at Malta before the intention to move them had become known to the House, and, consequently, to Europe; because he believed that that would have greatly increased the power and the influence of this country in favour of peace. Campaigns were so quickly decided now that it was dangerous to draw too marked a line between great danger of war and actual war. In military affairs it was always dangerous to show your hand, and how often had the Opposition endeavoured to force the Government to show their hand? To gain their political ends, some Members opposite would positively rejoice in the diplomatic failure of the Government, and even in a military disaster. ["Order!"]

MR. SPEAKER said, that the hon. and gallant Member had exceeded the limits of Parliamentary debate in imputing such motives to Members of this House.

GENERAL SHUTE begged to apologize for having used the language in the heat of debate, and to withdraw it. Still, however, he must say that he believed that there existed a very small section of the Opposition who cared little what happened, provided it might facilitate the passage of those straits [pointing to the floor of the House], and their occupation of this Constantinople [pointing to the Ministerial Bench]. It had been urged, on the one hand, that Indian soldiers would conduce to our defeat if they engaged the Russian troops; and, on the other, that it would be a very dangerous thing if we were to gain a victory by their aid. In the first place, the Indian troops, when well officered by British officers, would be able to hold their own against the Russians; and, in the second place, without those British officers, they would be powerless against ourselves. A full complement of officers, however, they must have—instead of seven there should be 27 a regiment. Why should we not use thees Native soldiers, rather than more of our Reserve men, the loss of whose skilled labour in civil life would inflict damage on the trade of the country? It had been urged that no extra Supplies were needed; but he had strong reason, drawn from personal experience, of the Crimean War, for believing that it was as disgraceful to the country as to humanity to send out troops, either for possible or actual warfare, unless they were well found in the necessaries of life and comfort. He was at the Russian manœuvres at Warsaw a few months before the Crimean War. At Count Orloff's table it was remarked—"Great friends as we are here, we may be even now at war in the East." A General Tanshaw remarked—"No; the House of Commons won't allow the means." Another Russian General said—"No; there can be no war; you are making no preparations." Our supposed forbearance was imposed on, and we drifted into war. Had we then showed a determined front, there would have been no war. Although he hoped and believed in the present crisis war would be avoided, yet he maintained that it was our duty to be prepared for it. The nation whose foreign policy was influenced more by fear of war than love of peace was as much to be despised as the man who, in regard to his moral and religious obligations, acted more from the fear of the Devil than the love of God. Loving peace, permanent peace, as she did, England, by her present preparations, had virtually put herself to forbid war.

Mr. SYNAN condemned the Government for having pursued two distinct policies in regard to this question—one of peace on the floor of Parliament, and one of war outside. It reminded him of the character of Trinculo in the play, with his two voices—the one a backward voice, uttering denunciations and threatening war, in the person of the Prime Minister; and the other the forward voice, promising peace, in the person of the Chancellor of the Exchequer. He would not have taken any part in the debate but for the Constitutional question which had been raised, and for its bearing upon the law of Ireland, and he thought that question had been discussed in ignorance of the law and Constitution of Ireland. The noble Lord had told the House that he intended to confine himself to a discussion of the Constitutional question, and to obtain, if possible, such an opinion from the House as would prevent any Government in future from pursuing the course which Her Majesty's Government had followed, and he (Mr. Synan) would follow the same course. And the Home Secretary had that evening repeated the same statement, that he would confine himself to the Constitutional question. Now, in discussing this question of Constitutional law, he did not think that any hon. Member could doubt what was the real position of the case. As early as the time of King Charles I., it was declared that the government of the Army was under the control of the Sovereign, and he thought it was impossible to deny that, subject to the power of the House, Her Majesty's Prerogative was a substantial part of the Constitution, and that She had the supreme command of the Army. That Prerogative had been approved of by Mr. Fox, and by the celebrated Lord Chatham, and it still existed. That Prerogative was subject to two checks—first, the Mutiny Bill under the Bill of Rights, and secondly, the power of the purse in voting the Supplies. Then, had the Government infringed the Bill of Rights? In regard to the Bill of Rights, he would ask what was the meaning of the word "Kingdom?" It was contended that it meant England, but he thought that could not be a sound construction. It must mean something wider. The word "Kingdom" meant the Dominions of Her Majesty where the Common Law existed, for the Bill of Rights was a declaratory Act, and the Mutiny Act was founded on the Bill of Rights, and was co-extensive with it. It had been argued that Ireland was a Dependency of the Crown, like India, to which the Mutiny Act did not extend. That argument was founded upon a complete misapprehension. Ireland was within the Bill of Rights, and included in the Mutiny Act. Until 1780 the English Mutiny Act extended to Ireland, and in 1780 an Irish Mutiny Bill was passed in the Irish Parliament, and the Army there was regulated by the Irish Mutiny Act until 1800. He should submit that the Bill of Rights applied to all part of these Dominions.

The question was whether the course which the Government had taken was a violation of the Bill of Rights? and that would depend upon this—whether the standing Army in India had been made subject to the same checks by the Act of 1858 as the Army in this country. If the Indian Army was not under the absolute control of the Crown, the Government had no right to send the men to Malta. He contended that if the Bill of Rights extended to Malta, the removal of the Native Indian troops to that island was illegal, unless it was warranted by the Act of 1858. Was it so warranted? It had been pointed out that evening, that the 56th clause of the Act prohibited the employment of Native Indian troops beyond the boundaries of India. It was true that the Act, in another section, gave the Crown power to remove the troops from India; but it limited the exercise of the power to the case of invasion, or to great and sudden emergency, and such a state of things had not been proved to have arisen. So far as the opinion of Ireland was concerned its sympathies were entirely anti-Russian. The Irish people trusted that the time had now arrived when the aggression of Russia would be controlled by this country, acting in conjunction with the other Powers of Europe. He held that, on the grounds of secrecy and urgency, the Government had made no defence for its conduct, and he must give the Resolution his support.

LORD ROBERT MONTAGU: Sir, I crave the indulgence of the House for five minutes, while I endeavour to indicate the course which I intend to take, and the grounds for taking it—a course which I determined on before coming down to the House this evening, and which has become firmly fixed in my mind by the first part of the Home Secretary's speech—a course which some of my Friends in this House, to whom I have spoken on the subject, also purpose to follow. It is not my intention to dabble in the Constitutional lore, which has already flooded the House to a baneful degree. There are two grounds for that intention. The first is that, although I have studied the legal aspects of the question, the House will not care to hear a layman's conclusions on the subject, after so many able lawyers, on both sides, have spoken their opinions; and the second ground is, that the real question before the House is not to be found buried under the musty lumber and dusty lore of law. The point at issue lies in the question whether there is an emergency or not—whether the step taken was necessary or not. The Chancellor of the Exchequer knows the answer, and will doubtless inform the House, if he can do so consistently with the requirements of the public service and the interests of the country; or, if he feels that it will not be safe to do so now, then, when the present state of affairs has passed away, and the prevailing tension has become relaxed, he can be called upon to make the required disclosure, and be brought to account for the step which the Ministers have advised Her Majesty to take. I desire, Sir, to recall the House to an examination of the two propositions which are before us. I must premise that, by the word Constitution, I mean the laws, the constituted laws of the Kingdom. I know no abstract thing called "a Constitution" apart from the laws, written or unwritten, under which we live. What, then, is the Resolution of the noble Marquess?—

> "By the laws of this Realm, no Forces may be raised or kept by the Crown, in time of peace, without the consent of Parliament, within any part of the Dominions of the Crown;"

and so forth. My study of the legal question has not led me to such a conclusion. Moreover, it seems from actual facts that the assertion cannot be true. For there are Forces in Canada, which have been raised in the Colony; and at the Cape, in Australia, and in New Zealand. These have not been raised, and are not maintained, with the consent of the Imperial Parliament. Or, if you say that, as they have been raised under the Acts of Parliament which govern those Colonies and permit the maintenance of Colonial troops, then I reply that in India the troops are raised and maintained under the Act of 1858. What, then, can be the meaning in the qualifying words of the Resolution, "excepting only such Forces as may be actually serving within Her Majesty's Indian Possessions?" Sir, I do not think that the Resolution is a true statement of the law, and, therefore, I cannot support it. Look at it, moreover, in this light. It certainly is the law, or it is not. If not, then why endeavour to place it upon our Journals to eke out its ineffective and dishonoured existence? The law is stronger than a Resolution of the House, and a Resolution which is not in accordance with the law must be unavailing out-of-doors. If, on the other hand, it is a true statement of the law, then why place it on the Journals of the House? The law is there, in the Statute Books on the Table, and may be appealed to and enforced without difficulty. The only aim of the noble Marquess must, therefore, be to censure the Government. But, if so, why not censure them openly and boldly, instead of covertly and under a cloud? I shall return to this point again. In the meanwhile, let us turn to the Amendment. Again I shall use the word "legal" for "Constitutional." How does the Amendment run?—

> "This House is of opinion that the legal control of Parliament consists in [the exact words are 'is fully secured by'] the provisions of the law."

Of course! It needs no angel from Heaven to tell us that. No apostle need preach on earth to make us believe such a doctrine as that. It is a truism which no one can contradict. How does the Amendment continue?—"And by the undoubted power of this House to grant or refuse Supplies." This little phrase contains the whole point of the Amendment, and I shall ask the House to consider it presently. But, let me first ask, why does the Amendment not stop there? Is that not enough? I will tell you why. Because such an Amendment is not the contradictory of the Resolution. Contradictory propositions are such that every person must affirm one of them and deny the other. But, in this case, every person may, with perfect consistency, vote for both Resolution and Amendment; or he may vote against both, and hold some third opinion. In order to withdraw attention from this defect, certain words have been added, which plead with the House not to weaken the hands of the Government. Having devised this acute scheme, what did the Government do? They did not take some Member below the Gangway on the Liberal side to plead with the House in favour of the Government, and say—"Have patience, and they will pay you all." They did not select an independent Member below the Gangway on their own side, but they sent down the youngest Member of the Cabinet, the Secretary of State for the Colonies—at least, I suppose he is the youngest Member; the Secretary of State for War opposite to me will pardon me if I err—they send him down to the House in a white sheet, and with the candle of penance in his hand, to drop on his knees, and clasp his hands in entreaty, and utter this humble and even grovelling plea, *ad misericordiam*—"This Eastern Question is difficult, very difficult; it taxes our powers to the utmost; it exceeds the grasp of our intellects, and the reach of our abilities. For Heaven's sake be quiet! do not talk and make a noise, or you will bother us and put us out, and we shall make some grievous blunder." That is the unworthy ending, the un-English ending, of the Amendment proposed by the Government. I will not support it. But, it may be said, there is the short phrase about the control of Parliament in granting or refusing Supplies. The Bill of 1858 has been alluded to, and the new clause of the right hon. Member for Greenwich (Mr. Gladstone). That clause was opposed by Lord Palmerston, by Lord John Russell, by Sir George Cornewall Lewis, and by the Liberal Party. But it was supported by Mr. Disraeli, who said—

> "If the power of declaring war and peace were left entirely in the hands of the Sovereign in India, there were not the means of controlling its exercise that existed in this country, and a policy might be pursued extremely injurious to the national interests."

Then, stating that he would support the clause, he added—

> "Some provision of this kind would, therefore, he thought, be salutary as regarded India."—[3 *Hansard*, cli. 1014-15.]

We have here to observe two things—first, the object of the new clause was to restrict the Prerogative, to impose on the Crown a control which, in the opinion of Mr. Disraeli, and of the right hon. Gentleman the Member for Greenwich, did not then exist. In spite of your declaration of rights, it did not then exist. Secondly, we may learn from it some of the mind of the present Premier. It was he who originated that liberty which the Liberal Party are now, as they think, defending, but which the Prime Minister would be the last to infringe. He, and not the Liberal Party, saw the danger to our liberties, and the remedy which could be secured by a slight modification of the new clause. He, then, is not the man to employ the Army contrary to the law, except an urgent necessity compels him. This is still more shown by the words of Lord Derby, in the House of Lords, when an improvement of this clause was under discussion—

> "The object of the clause was to impose a certain restriction upon the Prerogative of the Crown, through the intervention of Parliament. . . . The Constitutional check upon the exercise of the Prerogative was the sanction of Parliament, by the granting of the pecuniary resources. The Crown could not send out Forces unless Parliament provided the funds to pay them."—[3 *Hansard*, cli. 1697.]

Sub intelligitur, of course, the words—"unless there should be any urgent necessity." I allow the force of that which was urged by the last speaker, that consent must be previous to action, and that consent cannot properly be asked or given after an act has been done. Yet the act may be done, without consent, in a case of necessity; for necessity knows no law. The safety of the people may demand a violation of a law, and such violation would not be wrong; for, *salus populi suprema lex*. The real point at issue is, then, whether there is now such a necessity? The Government can only know that; and, if the safety of the nation requires it, the Government will be justified in withholding that information for the present. I have already said that there can be no grounds for the Resolution of the noble Marquess, except it be as a censure upon the Government. But, if it be so, it is very improper. He says that the Government have violated the Constitution, that they have broken the law. If so, they have committed a grave crime. When the law has been broken, what is always done? That which should always be done—namely, a judicial investigation takes place. A judicial inquiry—not a debate between two parties, which is determined, not according to truth and right, but by the relative number of noses in this Party or that. After the judicial inquiry, and after judgment has been arrived at, punishment is awarded, if guilt has been found. No one is content with censure; punishment is demanded. In the case of a guilty Government, the same rational course should be pursued. We should not debate their conduct, and propose a Vote of Censure, and decide it by votes; but they should be impeached. [*Laughter.*] That is the law; that is the Constitution. Those who pretend to stand up in defence of the Constitution are now laughing at the Constitution. Why was there no laughter when the Home Secretary was speaking? He said—"If the Government are guilty of breaking the law, not the House of Commons, but Parliament should have interfered." That was a dark saying, of the meaning of which I had only a faint suspicion, but that suspicion was confirmed when he warmed on his subject, and grew bolder, and added,—"You should have impeached us." But, if that be the mind of the Home Secretary, if he can dare the Opposition to arraign him before the House of Lords, how can he vote for the miserable and craven plea *ad misericordiam* of the Secretary of State for the Colonies? I, for one, will not do so. Nor yet can I support a Resolution which I do not regard as true. I hold that you should wait until you can prepare Articles of Impeachment against the Members of the Cabinet, to try them judicially in the Constitutional manner.

MR. W. E. FORSTER rose to continue the debate, leaning for support on crutches.

THE CHANCELLOR OF THE EXCHEQUER instantly suggested that the right hon. Gentleman should be permitted to sit while addressing the House.

MR. W. E. FORSTER: When I find I cannot stand any longer, I will take advantage of the kind suggestion of the right hon. Gentleman; but at present I think the House has a material guarantee that I shall not detain it very long. If I had not cared very much for this question, which vitally concerns the Privileges of the House, I should not have asked permission to make a few remarks upon it. With regard to the Amendment, to which I will refer at the outset, it appears to me very ingenious, for it enables the Government to claim the Votes of their Supporters without asking them to assent to any attack upon their Privileges or upon the Constitution, and it also evades entirely the question at issue. The House has been asked to express an opinion, and then to come to a conclusion. Well, I suppose it is our opinion on this as it is on that side of the House that, in the words of the Amendment—

> "The Constitutional control of Parliament over the raising and employment of the Military Forces of the Crown is fully secured by the provisions of the Law, and by the undoubted power of this House to grant or refuse Supplies."

Our contention is not that the Law, as embodied in the Statutes, or that the Privileges of Parliament, as established by the common law of Parliament, or acknowledged by precedent, are at fault; but our contention is that the Government have disregarded both one and the other. While asking us to vote the Budget, they kept us in ignorance of the demands they were going to make upon the purses of our constituents, and they have thus set at nought the power of the House to grant or refuse Supplies. It is because my noble Friend thought that, by bringing these troops to Malta, the Constitutional control of Parliament has been infringed, that he brought forward this Resolution. In its wording it is as moderate as it is possible to make it. We have no wish to embarrass the Government at this particular moment. There is no censure in this Motion, and our object in bringing it forward is to put upon the Records of the House such a Resolution as would prevent the infringement of the Privileges of this House, which we think the Government have committed, from being established as a precedent. How should the Government have met it? They should have either declared that there had been no infringement on the Privileges of the House or of the Constitution, or they should have set out that there had been an infringement which had been justified by necessity, and that being so justified, care should be taken that it should not be treated as a precedent. They have taken neither of these courses. By pleading no justification, they have admitted the charges against them; and yet they have not taken the course of Lord North, in 1775, and asked condonation of their action on account of the necessity of the case. Of course it is inexpedient to pass a Resolution weakening the hands of the Government at the present moment; but how can a Resolution, merely asserting the Privileges of this House, be open to such an interpretation? My noble Friend would have been recreant to the principles, which he may be said to have inherited, if he had not stood out on behalf of our Privileges. Nor do I think that he and those who have acted with him can be charged by Her Majesty's Ministers with having, in the whole course of these Eastern negotiations, done anything to increase the difficulties of the Government. At no slight sacrifice to our opinions—at the cost of much misconstruction of our actions—at the cost of complaints, not unreasonable, of many of our friends, we have avoided expressing disapproval when we felt it, because we have been determined to do nothing that would embarrass the Government in the conduct of these negotiations. But, when we come to this Resolution referring to our ancient rights and liberties, it would be humiliating, if it were not absurd, to say that our relations with Russia or Turkey, or any or all the Powers of Europe, were to prevent us from giving that question our full consideration. I hope the Government are going into a Congress on the Eastern Question; but that Congress will not discuss the English Constitution, and we have a right to express our opinion, and are not to be told that England is so weak or so powerless, that we must not assert our Privileges for fear of weakening the hands of the Government. It is my belief that the Government will be strengthened by Russia knowing that it acts with the knowledge and consent of Parliament. If it be possible to weaken the hands of the Government, it would be by allowing Russia to suppose that the Government found it necessary to act without the knowledge of Parliament, to hoodwink us by concealment, and to cheat us into consent to their action by presenting to us a *fait accompli.* It has been said that this secrecy was necessary. I cannot see that that assertion has been proved; and if it should be proved, I shall be even still less able than I am to understand the answer which was given me by the right hon. Gentleman the day before the Easter Recess. If there was a great emergency, I should wonder why there was such an extraordinary power of reticence on the part of the Government, that no sort of hint was given to us. I believe that publicity would have enhanced the effect of the introduction of these troops into Europe. We have been told that there would have been a difficulty in regard to transports. My strong impression is that publicity would have increased the supply of transports. But what are a few pounds owed in freight, compared with the preservation of the Privileges of the House? If there were no emergency, and no hint of one had been given on the part of the Government, there are only two other explanations for their concealment. The one is, that in the great pressure of this Eastern Question, the Government lost sight of the Constitutional question, and that this is, in fact, a *casus omissus.* The other is, that the Government have really come to the conclusion that it is desirable to strengthen the Prerogative of the Crown at the expense of the Privileges of this House. I think and trust that the first explanation is the correct one, but I do fear and believe that the tendency and effect of this step will be found in the other explanation. What, after all, is the chief Privilege of Parliament, and especially of this House? It is that we thought we had, and still think we have, a share in the Government of the country, and that we have a right to prevent the carrying out of any policy, either at home or abroad, of which we disapprove. But what becomes of that right, if policy, as important as it is new, is to be carried out without consulting Parliament? I should not have thought that any Government, much less a Conservative Government, would have taken upon itself, in the name of the Crown and of the Crown only, to bring about what seems to me the greatest possible innovation—either as regards the relation of the United Kingdom to India, or of this country to Foreign Powers, or of the Crown to the other Estates of the Realm. I cannot understand how it is, that in the name of the Crown, they have brought in what seems to me the greatest possible innovation. Why do I conceive this to be a grave innovation? I do not know that I can describe the magnitude of the step which has been taken better than by referring to the language of many of its supporters. I am not now speaking so much of its supporters in the House, where there appears to have been rather an attempt to minimize the step, as of its supporters outside. What have we been told? We have been told that Russia—that Europe—has been startled by the sudden discovery that we are not only the greatest Naval Power in the world, but one of the greatest Military Powers. When I say a great Military Power, I mean—and all Europe so understands it—a great Military Power, not merely for defence, but for offence, not merely for potential, but for immediate action. We are told that we can now match the greatest Armies of the Continent without conscription, and that, by a stroke of his pen, the Prime Minister has increased our Reserves by all the Indian Army, and has made it possible to call to our aid every fighting man amongst the millions of India. That is a very flattering prospect, but it has its dark as well as its bright side. With an increased power of offence, there will be more temptation to offend. We must not suppose that fresh powers will not bring fresh responsibilities. At all events, the taxpayers of England will have to pay for the Sepoys they hire; and it is quite possible our action may have the effect of leading to an increase of the Armies of the Continent, already so very numerous. There are those who think that the action of the Government can have no result, except in increased Estimates and in undue meddling with affairs that do not really concern us; but I am well aware that this is not the occasion to debate the policy of this measure. All I say is that this policy involves a great change; and if we are the great Council of the Nation, we ought to have been consulted before it was made. Hitherto, we have supposed that we fixed how many troops should be raised and maintained at the cost of our constituents—for that was the question—for these Islands and the Possessions of the Crown; but it appears we were mistaken. We are to have a Supplementary Estimate, and I am glad to find we are to discuss it next Monday; but that Supplementary Estimate might have been postponed. But, whether postponed or not, it was quite certain we could not refuse to pay for services that had been rendered. Gentlemen might say a Supplementary Estimate was sufficient. Our ancestors would not have used that argument. They knew it was right to have many checks and safeguards for Constitutional Government, and that it was necessary that the House of Commons should have not merely the power of the purse, but the deciding of the number of men. Well, it might be thought that safeguard had better not be maintained; but my argument is, that it is, at any rate, a most important change of policy, and that the House ought to have been consulted upon the subject. Turn again to our relations with India, and we find that the change of policy is as momentous as it is novel. Hitherto, it has been our boast that India has been governed not for English, or even for Imperial purposes, but solely for Indian interests. Why, it may be asked, should we maintain that self-denying policy? But that is a question to be argued in this House; and have we not a right to complain that the Government, by the steps they have taken, have done the utmost they could to prejudge the question? Let it not be supposed that, because the Queen is Empress of India, She can wield the resources of India and call upon the millions of Her subjects in India to fight just as She pleases, or even as Her Parliament pleases. We shall find that we shall have to consult Indian feelings and Indian interests. True, we, the people of England, are the despotic rulers of India; but even despots must consider the feelings of their subjects; and our Indian despotism is no exception to that rule. Depend upon it, in gaining this help from India, we shall be called upon one day to give something in return. If India is to help us in carrying out our foreign policy, we shall have to consult Indian feeling in framing that policy; and, in my opinion, we shall have to treat India rather as an Ally, than as a Dependency. That would be a great change; but, supposing I am wrong, is it no change to rely not upon the patriotism and spirit of our own people, but upon the power of our money bags, to get Ghoorkas and Sikhs and Mussulmen to fight for us? Then, look at the effect upon the actual Administration of India. I hope these Indian troops that have been moved to Malta will be sent back to India without being called upon to fight, and I am one of those who believe that, if they do fight, they will fight well. But are we sure that when they return to India they will make India easier to govern? Surely, the House ought to have been consulted before a step was taken which affects India so deeply and closely. I may be told it is the Prerogative of the Crown to declare war, and that no one of these results would be of equal importance; but I would gladly rest the whole of my argument upon the analogy of a Declaration of War. Without doubt, it is the duty of Ministers to advise Her Majesty to declare war when they think fit; but would the present or any Government for a moment think of declaring war without giving this House an opportunity of expressing its opinion as to whether war should be declared? Before the House adjourned for the Easter Recess, the Chancellor of the Exchequer gave me, and gave the House, the impression that nothing unusual would occur in the Recess. The right hon. Gentleman will not contend that during the Recess a Declaration of War might have been issued without consulting Parliament; but this moving of the Indian troops, which has been adopted without consulting Parliament, is almost, if not quite, as important, as a Declaration of War. Neither during this Session, nor during the whole of this Parliament, as far as I know, has there been the slightest allusion by any Member of the Government or of the House to the possibility of employing Indian troops. There has, indeed, been much talk about it outside, but there has been complete silence inside the House. We know what happened in the Crimean War, when, although there was a great pressure for men, the Sepoy troops were not used. In this debate there has been much search made for precedents, but none have been brought forward of the use of Sepoys or of Indian troops, except in what might be called Oriental Wars and in Asiatic Enterprizes. In 1863 there was some intention of sending Sikh regiments to New Zealand, and it became my duty to question Lord Palmerston's Government on the subject. Lord Palmerston, it is true, justified that intention; but, within a month, counter-orders were sent, and his Cabinet gave it up. This novel and momentous step is one, therefore, which has been suddenly taken, and for which not the slightest warning has been given to Parliament. I have not attempted—it would ill become me to do so—to dwell on the legal bearings of the question, which have been dealt with by those competent to do so. But, even if the provisions of the law have been kept—and I do not think they have—and even if the letter of the Constitution has not been infringed—and I think it has—I maintain that the spirit of the Constitution has been disregarded, and that our Privileges have been attacked. If we are to hand down to our successors those Privileges as ample and secure as we have received them, the least we can do is to vote for the temperately-worded Resolution of my noble Friend, which affirms that this step ought not to have been taken without first obtaining the consent of Parliament.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) said, he thought that the inconvenience, otherwise than in a Party sense, of the Resolution of the noble Lord opposite had been abundantly illustrated in the course of that debate. It was hardly possible to revert to any matter connected with the Eastern Question which had not been touched upon in the course of that discussion. And yet, when he looked to the language of the Resolution itself, it appeared designedly to have been framed with a view to avoid anything but the consideration of an abstract question. The Resolution stated—he thought inaccurately—a proposition of Constitutional law. But it was manifestly aimed at certain conduct of the Government; and he supposed that the tactical excellence of the Resolution as it stood was, that the noble Lord could obtain a certain number of votes from hon. Gentlemen who were not ready to pledge themselves that the Government had done anything wrong, but who would accept the proposition of law that involved a matter of fact which they did not venture to express in words, but which they were all thinking of. He ventured to think that that was an extremely inconvenient course. He admitted that there were two questions to be solved—first, whether there had been an infringement of the letter of the law? and, next, and above all, whether there had been an infringement of the spirit of our Institutions, such as might be justly described as unconstitutional? He said, in the first place, that the letter of the law had not been infringed. It was argued that the Bill of Rights prohibited the raising of Her Majesty's Forces in the circumstances stated in the Resolution in every part of the Queen's Dominions, and that they were to read the word "Kingdom" in the Bill of Rights as if it meant every part of the Dominion of the Crown. He agreed, in a measure, in what had been said by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone); and he might take this opportunity of saying that he had not the least conception which utterance of his the right hon. Gentleman referred to when he said that he had uttered some gibe with reference to the question of Army Purchase. [Mr. GLADSTONE: It was a mistake.] If so, he would say no more. Those who had refreshed their memories by looking at the Bill of Rights would remember that it contained a recital of the various unconstitutional and illegal acts that had been perpetrated by the Sovereign who had left the Kingdom. And then followed the declaration of what the state of the law was with reference to those things. It was there declared that the raising or keeping of a standing Army within the Kingdom in time of peace, unless with the consent of Parliament, was against the law. As to the letter of the law, the question they had to solve was, whether the word "Kingdom" comprehended all the Dominions of the Crown? Let them see whether the Statute drew the distinction, and spoke of the Kingdom in the wider sense that was contended for. Now, he found in other parts of that Statute, where they were settling the Crown and dealing with the jurisdiction of the Crown, the able and learned men who framed the Statute, and who knew how to choose language that would express their meaning, when it was intended to comprehend in it all the Dominions of the Crown, used no longer the words "the Kingdom," but "the Kingdom and the Dominions belonging thereto." And if he were to suppose—what lay at the bottom of the argument of the right hon. Member for Greenwich—that that declaration in the Statute was to apply all their Constitutional liberties, such as they had been and as they had grown to, to every part of the Dominions of the Crown, that supposition would not only be contrary to every authority, but ludicrously inconsistent with the history of the English Colonies. It was said, forsooth, that they had the authority of Lord Chancellor Bathurst, and other learned lawyers, for construing that word "Kingdom" in the sense which comprehended all the Dominions of the Crown. That was a great error. The point in the debate, in which Lord Camden and Lord Chancellor Bathurst took part, was the sending of the Electoral troops of the person who happened to be King of England as well as Elector of Hanover into places of trust under the Crown. The question there raised was as to the paragraph of the Act of Settlement. The prohibition in the Act of Settlement was that no person should be capable of enjoying any place of trust, civil or military, who was born out of "the Kingdom of England, Scotland, or Ireland, or the Dominions thereunto belonging." Let them see whether Lord Camden and Lord Bathurst, in the passages which had been quoted, were construing the words "the Kingdom" in the Bill of Rights, or the words in the Act of Settlement. Lord Camden, who one might have thought would have escaped the imputation of being supposed not to know what the words of the Bill of Rights were, said that a distinction had been made between the time of peace and the time of war; but he was certain that neither law nor usage justified any such interpretation; that it was true the word "foreigners" was not mentioned in the law; but would anyone suppose that, although it was not right to keep an Army of Natives, an Army of foreigners might be kept? The words used implied a distinction between times of peace and times of war; but, if they referred to the Act of Settlement, they would find that no such distinction was there made. The argument was obviously this—they were dealing with those garrisons of the Crown, as though they had a right to send into them Electoral troops who were not under the jurisdiction of the Crown of England. Lord Camden's observations came to that; and if his hon. and learned Friend opposite did not assent to that view, perhaps he would be good enough to explain what Lord Camden had meant by saying that neither law nor usage drew any distinction between times of peace and times of war? What had Lord Bathurst said? He had said that the sending Hanoverian troops to Gibraltar and Port Mahon was fairly within the meaning and spirit of the paragraph of the Act of Settlement. That was Lord Bathurst's observation, and he had concluded, singularly enough, by declaring that he, for the rest of the Ministers, had assisted in advising the measure. He was unable to understand what hon. Members opposite meant by saying that if the authority of Lords Camden and Bathurst were fairly construed in the language of the Bill of Rights, the word "Kingdom" would include all the Dominions of the Crown. He quite admitted that Lord Bathurst, in the course of his observations, had not said what would be applicable to the present circumstances, if such an argument were to be used for any serious purpose. He said that if the word "Kingdom" were to be taken to include the Dominions of the Crown, it would have to be so taken in conjunction with the phrase "while at peace," whereas they were at war with America, and, therefore, the Act of Settlement did not apply. If anyone supposed that Lord Bathurst intended that for serious argument, he might himself use it also. Suppose he were to say that the Bill of Rights applied only in time of peace, and that they were not in a time of peace while the war at the Cape went on, how would such an argument be received in the House? The result of Lord Bathurst's argument was to expose the absurdity of that fallacy. It had been said, more than once, that the Ministers ought to have followed the precedent of Lord North; but that had been said in ignorance of the facts. The Bill of Indemnity had been forced upon Lord North. He said, in a quiescent way, that he had no objection if additional protection were wanted, but that it was unnecessary; and when the Bill reached the other House, three Ministers of the Crown spoke and voted for the rejection of the Bill, declaring it to be perfectly unnecessary, as what had been done was lawful. The measure was rejected by the votes of those Members of the Government. Yet Lord North had been represented as having admitted that his Government had acted illegally in the step they had taken, and had to come to Parliament for an Indemnity. He at once conceded that, when all had been said that could be said on the language of the Bill of Settlement, that did not decide the question. They were told, next, there had been an evasion of the law, and that charge he unhesitatingly denied. Without troubling the House with what was unconstitutional and what was not, he would suppose a case. Suppose, under the Mutiny Act as it stood, the whole of the 135,000 men were brought into the Kingdom, and every outlying garrison consisted of Indian troops, the words of the Bill of Rights would not be infringed. Speaking, not as the adviser of an unconstitutional King of the 17th century, but as a lawyer, he boldly contended that there would not be the smallest infringement of the Bill of Rights; yet it was clear that any Constitutional lawyer who looked at the recital of the Mutiny Act, would see that the letter of the law was observed though the spirit violated. But he should have thought that no lawyer would have contended that it was unconstitutional to bring the Indian troops from one Dominion to another. The Amendment of the noble Lord would have been very relevant if, instead of binding himself down to the abstract Resolution, and instead of allowing everybody to supply the suppressed premiss, he had moved that the Ministers had been guilty of unconstitutional conduct; for then they would have had an opportunity of discussing and settling the question whether the movement of the troops to Malta was unconstitutional. But all that was irrelevant to the Resolution, as it stood, which put before the House no obvious issue to challenge. That was avoided, and the Resolution omitted, and the noble Lord had taken credit for omitting the very question that might have made the Resolution a fit subject of debate, and might have given point to the discussion. He had observed that hon. Gentlemen opposite had taken up a sort of oscillating position between what they said was illegal and what they contended was unconstitutional; but if they would only make up their minds as to which of the charges they intended to rely upon, he should be prepared to meet them upon either issue. What, he would ask, was the unconstitutional character of the act to which exception was taken? Had the Government evaded, in what they had done, the control of Parliament; and, if so, in what way? Was it maintained that the Indian troops could not be moved out of India at all? His hon. and learned Friend the Member for Barnstaple (Mr. Waddy) had given the House some information as to the operation of the Government of India Act, and appeared to have caught in his toils an unwary Supporter of the Government, who had not made himself thoroughly acquainted with the real state of the case. Perhaps, when he knew the hon. and learned Gentleman as well as he had, he would have reason to see that he ought to beware of his ingenuity. Now, the discovery which had been made by the hon. and learned Member for Barnstaple was, that by the 56th section of the Government of India Act, the Military and the Naval Forces of the East India Company should be deemed to be the Military and Naval Forces of Her Majesty, under the same obligations to serve Her Majesty as those under which they were to serve the Company, and should be liable to serve within the same territorial limits only. His hon. and learned Friend, having quoted that section, seemed to say—"Now I have caught you. You clearly had no right to send those Indian troops beyond the territorial limits prescribed, and you have, therefore, been guilty of an infringement of the law." His hon. and learned Friend seemed not to have observed that the whole question turned upon the terms and conditions under which those troops were enlisted. He would, therefore, keep him in suspense no longer, but tell him that the terms of enlistment had been altered, and that soldiers enlisted in the Indian Army—those soldiers, at least, who were now on their way to Malta—were not enlisted under any obligation which would simply confine them within the territorial limits of the East India Company, but under the conditions that they were bound to go wherever they might be ordered. He would only add upon that point, that before his hon. and learned Friend had made use of the argument with respect to it which he had urged against the Government, it might have been as well if he had ascertained what the real facts of the case were. But what he was about to ask when it occurred to him to give an answer to his hon. and learned Friend was, in what consisted the unconstitutional conduct of the Government? His hon. and learned Friend the Member for Durham (Mr. Herschell), in the remarks which he made with reference to the Government of India Bill, seemed to him to have entirely omitted to consider the language of the Statute itself. He said that if the Government would only say that the exigencies of the case had led them to act in opposition to the law, he and a great many hon. Members on his side of the House would be very glad to accept that position, and would not insist on passing a Resolution which might appear to be a Vote of Censure upon their conduct. All such remarks would, no doubt, be fair and just in a case where a Government, under great pressure, had undoubtedly infringed the law. His hon. and learned Friend, however, seemed to forget that what had been done in the present instance was no infringement of the law, but was an act in pursuance of the law; and that his suggestion to the Government that they should make a confession that they had done wrong and ask the pardon of Parliament, was only applicable to cases where a Government had not the authority of Parliament for the course which they had adopted, which could not be truly said in the present case. As for Parliament, when it came to pay the bill, it had the undoubted power of either condemning or approving the action of the Government. He could not help feeling that the discussion of this question had already been very protracted, though, in truth, it was confined in very narrow limits, and he was not desirous of protracting these proceedings; but it was obvious to ask—if only for the purpose of pronouncing an opinion upon a dry abstract proposition of Constitutional law applicable to nothing, and the conclusion from which there was nothing to be drawn—with what object was this Resolution, at this particular juncture, put before the House? What would other nations—those who were watching their debates—think of this debate? Would they stop to inquire whether any dispute as to the interpretation of the Bill of Rights or the Act of Settlement decided questions of this sort? He almost apologized to himself for having discussed these matters; but these were questions which were thrust upon them. These miserable technicalities—he heard hon. and right hon. Members opposite commenting upon his words, and suggesting that the Bill of Rights, according to his view, was a miserable technicality — he knew what use might be made of his words hereafter—he said that these miserable technicalities would be misunderstood abroad. He was as deeply impressed with fervent admiration of the liberties of his country as were hon. and right hon. Gentlemen opposite. He knew that it was the custom of hon. Members opposite to assume and arrogate to themselves the character of champions of the liberties of Parliament, and to assert that those who did not agree with them must of necessity be bigoted; but he had a right to his own opinion, that those who were loudest in their professions of being ardent for liberty were not always the safest guardians of it themselves. He had every respect for the Bill of Rights and the Act of Settlement, but the House was not engaged in an academic discussion of the origin of English liberties. No one would venture to say that great liberties did not exist—which had grown up gradually in our English Constitution—or that any Minister who undervalued those liberties would not be justly open to impeachment as well as to the condemnation of his fellow countrymen; but when he spoke of miserable technicalities, he spoke of the discussion which did not deal with great principles like this, but which, instead of dealing directly with the action and conduct of the Government, simply asked a decision of the House on a dry and abstract question, which must be interpreted by different people for or against the Government. Other nations would look to what was not contained in the Resolution; in fact, how many hon. Members had thought it their duty to confine their observations to the language of the Resolution; but what other nations would do, would be to ask themselves whether our free institutions were so cumbrous and unmanageable that, for the preservation of the interests and existence of this country, we could not avail ourselves of all the resources at our command, or send a single soldier from India, without first passing an Act of Parliament. If this Resolution were not repudiated by an overwhelming majority, other nations might well think that, in building up our liberties and protecting ourselves against internal oppression, we had really forged fetters for ourselves, so that we could not move even for our own safety. The argument used by hon. Gentlemen opposite was that this country must wait till its enemy had struck the first blow before it could release itself from its Constitutional restraints—that although its interests were so far reaching, yet, on account of some antiquated notion, some forced construction of the language of the Bill of Rights, apart from its spirit, and wholly beside that which gave life to every law—namely, the meaning and the spirit which inspired its authors when they drew up the declaration of our rights—no soldier could be moved from one part of Her Majesty's Dominions to another. He maintained that Her Majesty's Government had recognized the authority of Parliament to sit in judgment on their conduct afterwards; but hon. Members opposite would take from their hands the power which the Act of Parliament had expressly given to the Government of acting in emergencies, by supporting a Resolution which avoided challenging the question whether there was an emergency or not, and which insinuated, while it would not state, that Her Majesty's Government had been guilty of unconstitutional conduct.

Sir HENRY JAMES said, it was now some two years since the policy of Her Majesty's Government, in respect to Eastern affairs, had attracted the attention of the House. During that period many discussions, on various portions of that policy, had taken place within those walls; he had never yet taken part in any one of them, and he trusted the House would not think it unnatural on his part that, looking at the form and nature of this Resolution, he should desire not to allow the debate to terminate without taking some part in the present discussion. He agreed with his hon. and learned Friend the Solicitor General as to the difficulty which must exist in engaging the attention of the House upon such a subject as this, and especially at that hour of the evening; but he would promise that he would not wander from the real subject of discussion. He could not, however, refrain from alluding to the form of the Resolution, and of the Amendment that would be submitted from the Chair. It certainly was necessary for the Home Secretary to remind the House that they ought not to forget the Amendment which had been proposed by the Secretary of State for the Colonies. It was very likely, if they looked at what was the real subject of discussion, that they would forget that Amendment. It was an Amendment which, in its form, was bad all round if it were intended for an answer to the Motion. It denied nothing, it confessed nothing, and it avoided nothing. It was simply a dilatory plea, saying that at that moment it was not right to embarrass the Government. It must share the fate of every dilatory plea, and it must be taken to confess the allegation which it was directed to meet. It was, however, more important to know why this debate had been commenced at all. What was the form and what was the nature of the Motion of his noble Friend? The Attorney General, with a taste which he would not criticize, had endeavoured to trace, from some innate knowledge, the hand that drew that Motion; and the hon. and learned Gentleman complained that it did not recite certain Statutes, on which, in his opinion, the Motion ought to have been framed. The House, he thought, would agree with him, that he would be guilty of very bad taste if he made a statement one way or the other as to the framing of that Resolution; but, now that the Resolution was before the House, he thought his noble Friend could support its object and its terms. When Constitutional precedents seemed to be thrown lightly away, it must be some satisfaction to the noble Lord to know that he had framed his Resolution, at least, on the precedents of his Party. This Resolution was in its terms precisely in accordance with the terms of the Resolution that was brought up by Mr. Grey, in 1794, under similar circumstances, when that Gentleman deemed it right to propose an abstract Resolution in reference to an infringement of the Constitution committed by the Prime Minister of the day. Mr. Grey framed his Resolution, not in the form of casting a Vote of Censure on the Ministers for the policy which they had adopted, but in these terms—

> "That the employing foreigners in any situation of Military trust, or bringing foreign troops into this Dominion, without the consent of Parliament first had and obtained, is contrary to law."

It was exactly upon the lines of this Motion that the noble Lord had drawn his Resolution; and he was certain that if a specific Motion had been made that the Government were deserving of censure on account of its policy, the House would have been told that the Opposition cared nothing for the abstract Constitutional question, but sought at this moment to embarrass the Government by charging it with a policy which it dared not explain, because it was necessary for it to keep secret the reasons on which it had acted. In speaking upon the form of the Motion, and the criticism which had been applied to it, he could not help referring to the speech which they had heard that evening, and which had been so loudly cheered by hon. Members opposite, but which some Members of the House must have listened to with great pain and regret. He meant the speech of the hon. and learned Member for Sheffield (Mr. Roebuck). He might say, unreservedly—and he had no doubt that those to whom he was speaking would agree with him—that the Parliamentary position of the hon. and learned Member entitled him to every due respect in the House. It was not only his long service in that House, but the age at which he had arrived, and to which they might all arrive, which entitled him to that respect which, he thought, personally they were all willing to accord him. But men of any position, and of any age, who entered into the conflicts of public life, and deemed it right to become the censors and condemnors of others, could not shield themselves behind their position or age, and prevent answers being made to what they said. He said—and he was sorry he could not say it in the presence of the hon. and learned Member, but he said it in the presence of the House—what right had he to apply the language he did to those who had brought forward and supported this Resolution? He knew it would be distasteful to his noble Friend, and it would be unbecoming in himself, to utter one word of personal reference to him; but he appealed to hon. Members opposite with the greatest confidence, as well as to the Supporters of the noble Lord, whether the hon. and learned Gentleman had any right to say that no honest, no patriotic man, would have acted as his noble Friend had done in bringing forward this Motion? He left it for the House to judge, from his career, and from the course which he had taken towards the Government with reference to the Eastern Question, whether it was becoming in anyone to say that the noble Lord was not acting as an honest and patriotic man would act, because a difference of opinion existed on this Constitutional question? He was not now going to refer to some acts of the hon. and learned Member, nor to the way in which he had opposed Ministers on certain occasions. The hon. and learned Member for Barnstaple (Mr. Waddy) read a portion of the hon. and learned Member's speech, when he attacked the Government of the day for sending troops to Persia and carrying on war without the consent of Parliament; and he would take the House into his confidence, and confess that he had at first intended to make some observations on that speech, in support of the present Motion. He would not do so, however, but would only refer to the course the hon. and learned Member had taken at the time of the Crimean War, during a time when the country was in the face of the enemy, when he introduced a Resolution condemning the Government of the day. It was not desirable to engage the attention of the House in such considerations; but when he heard the cheers from hon. Gentlemen opposite when the hon. and learned Member referred to the disunion of the Liberal Party, and congratulated them upon the patriotic cohesion they had shown, his mind dwelt with pleasure upon the recollection of some portion of the words of the hon. and learned Member which it had been his delight and instruction to read. The House would forgive him if he read a short extract, and hon. Members opposite would then know what opinion the hon. and learned Member had entertained of their political cohesion, and how much he deprecated the differences that existed in the Tory Party. While he had been a professing Liberal, the hon. and learned Member had, as he now said, always disparaged the action of the Liberal Party. During the time of the French War, he deemed the Liberal Party unpatriotic. With the permission of the House, he would read what had been written by the hon. and learned Gentleman; it was an extract from a pamphlet entitled, *Parties in the House of Commons, Disunion among the Tories;* by John Arthur Roebuck—

"There is also another reason for the apparent harmony existing amongst the Tories. Political principles with them are matters of very secondary importance. Their grand object is place, and the means of living on the public.

Anybody that will afford them the opportunity of thus fleecing the people "——

Sir H. DRUMMOND WOLF rose to Order. He contended that quotations from a pamphlet, written many years ago against the Conservatives, had no bearing on the question before the House.

Mr. SPEAKER said, that he considered the remarks of the hon. and learned Member were in Order, having regard to the course of the debate.

Sir HENRY JAMES resumed the reading of the extract.

> " Anybody that will afford them the opportunity of thus fleecing the people will not be much troubled with any peculiar fancy or crotchet which they may entertain respecting Government. Feed a Tory well, and you will silence his scruples, and obliterate from his mind any notion of an independent opinion. With morality such as this, it is not at all extraordinary to see great harmony existing amongst them. But this is a harmony which bodes no good to the public; they agree in order to plunder, and are good friends at the Nation's expense."

He was asked for the date of the document he had read; he would give it; it was since the Napoleonic Wars. It was written since the period when the hon. and learned Member said the Liberal Party acted so unpatriotically. He quoted from that pamphlet to show that, at different periods of his life, the hon. and learned Member had treated them all alike. He regretted he was not present to hear him; but he ventured to say that, if the hon. and learned Member, at this period of his life, believed his political Friends to be all dishonest and unpatriotic, it would be more gratifying to them if he would sit amongst his Allies opposite. He hoped that the House would forgive him for yielding to the temptation of answering the hon. and learned Member; but he was sensible that he had to deal with far graver subjects. He had not only to deal with the actions of Her Majesty's Ministers and their effect, but with the light thrown upon those actions by the statements of responsible Ministers in that House. It might be that the actions of the Government had resulted from their having to deal with an emergency which they could not control. In that case, the House might have treated the Government as Parliament usually treated Ministers who had acted in an emergency. But that was not the position Her Majesty's Ministers chose to occupy. They justified every act they had done, and they said that those acts were within the Constitution, and they naturally put forward the first Law Officer of the Crown to support the Constitutional position they had assumed. He must ask the House to consider for one moment the proposition put forward by the Home Secretary. That right hon. Gentleman had asked the House, in fairness to the Government, not to make them responsible for the statements of the Attorney General. Against that doctrine he protested.

Mr. ASSHETON CROSS explained that what he had said was that the action of the Government was one thing, and the language of the Attorney General was another.

Sir HENRY JAMES was quite willing to take it in that way. The Home Secretary was treating the Attorney General as the Prime Minister had once before treated that hon. and learned Gentleman. He was glad to have an admission from the Home Secretary that he accepted all the propositions of the Attorney General. [Mr. Assheton Cross dissented.] He would give the right hon. Gentleman his choice either to accept the propositions of the Attorney General or not. The Home Secretary placed him in this dilemma—when he said that he repudiated the language of the Attorney General, the Home Secretary contradicted him; and when he said that the right hon. Gentleman accepted the Attorney General's propositions, he shook his head. Under those circumstances, he must accept his own reading of the right hon. Gentleman's language, and should take it that the Government accepted the propositions of the Attorney General. If the Home Secretary meant to accept those propositions, the responsibility of the Government was far greater than he had anticipated; but if he intended to repudiate them, he, for one, must protest, on the part of the Attorney General, at his being placed in such a position. It was not his intention to refer to past debates; but what was the position of the Government when they were challenged on a Constitutional question? They put forward their Law Officer to defend them, and supported him with their applause. But when the hon. and learned Gentleman's numerous errors had been pointed out to them, they said it was not fair to saddle the Government with his statements. In the speech of one Member of the Government it was said that the statements of another Law Officer, the Lord Chancellor, would be allowed by history to have properly set forth the Constitutional views of the Government. Thus, they were asked to receive, and were told history would accept as correct, the statements of one Law Officer, while they were told that it was unfair to take the words of another. From the speech of the Attorney General he deduced the position in which the Government had placed itself. Their acts might have been, as he had before said, justified by an emergency, or on the ground of policy; but the Attorney General justified them on the ground of Constitutional right; and the propositions which he put forward, and which the Government must either accept or repudiate, were three distinct propositions as representing the Constitutional position of the Crown in relation to Parliament. The Attorney General said that, by virtue of its Prerogative, the Crown, before the Bill of Rights, had a Constitutional right to maintain a standing Army anywhere, without the consent of Parliament, and that that Prerogative right had been limited by the Bill of Rights. As a deduction from those two propositions, the Attorney General informed them that the Crown could maintain a standing Army, without the consent of Parliament, anywhere except in the United Kingdom. He believed he had fairly stated the propositions of the Government. Of course, he was aware that it was said that this power was checked by the necessity of obtaining Supplies from Parliament. That proposition had been put forward in the early part of the debate, and was one which was not disputed. On those three propositions he took issue, and said that they were unfounded, and could not be supported on principle or by precedent. He would first deal with the proposition of the Attorney General, that by virtue of the Common Law, the Prerogative of the Crown gave it a Constitutional right to maintain a standing Army anywhere, without the consent of Parliament. That must bring them to a pre-Bill of Rights period. The Attorney General, with perfect frankness, did not shrink from that proposition, but said clearly that before the Bill of Rights, the Crown had the Prerogative of maintaining a standing Army in the country, whether Parliament assented to it or not. That was the fundamental question in this debate—whether the Crown was subject to the Constitutional limitation contended for in the Motion of the noble Lord; and it was against the assertion of such a power without limitation, which the Solicitor General had spoken of as a miserable technicality, that the Motion was aimed. They must look very carefully to see whether the contention of the Attorney General could be supported by any act of the Crown or Parliament. He could not help saying, in passing, that this argument of the Attorney General was an old one. It was exactly the same argument by which the Crown Lawyers used to support the imposition of ship-money, and the dispensing power of the Crown, and by which they claimed the right to tax our Colonies. In supporting this proposition, which anyone would see was absolutely illegal, the Attorney General threw away all considerations relating to Constitutional principles. He charged the hon. and learned Gentleman the Member for Oxford with being a masquerader, and with shaking a bladder full of empty wind, because he referred to Constitutional principles. That was a perfectly consistent argument in the mouth of the Attorney General, for he treated Constitutional principles as if they were of no moment at all. But their arguments rested not on mere Statutes, not on mere decisions of Courts of Justice, but on the law and usage of Parliament; and it was on these alone that this Motion was to be supported. He would call attention to what Parliament had done in this matter. Before the Bill of Rights was passed, Parliament dealt with this subject as affecting important Constitutional principles. He quite admitted that it might be unwise to take the Resolutions of Parliament during the time that it was in conflict with the Crown; and, therefore, he should not go beyond the period of the Restoration of Charles II. After that time, the Attorney General said that the Crown had a right to maintain a standing Army in the Kingdom without the permission of Parliament. At that time—in 1677—Parliament resolved —and it must have been against the Prerogative of the Crown—that the maintenance of a standing Army, other than the Militia, was a great grievance. But the contention of the Crown of the days of James II. was brought finally to an end. He committed illegal act after illegal act, and one was the maintenance of a standing Army without the consent of Parliament. In consequence of that he was obliged to leave this country, and the Bill of Rights was passed as a declaratory Act of what was the Common Law of the country in relation to the specific illegal acts which had been committed. If the Statute Book were searched through, there would be found no Act more clear and declaratory in its terms than the Bill of Rights. It declared that James II. had committed divers illegal acts, which it recited were against the established usage and laws of the country, and it asserted, amongst other things, that a standing Army was illegal. The Act was not intended as a codification of the Constitution, nor as declaratory of all the rights under Constitutional usage; but its operation was co-extensive only with the evils mentioned in its Preamble. Its enacting part was intended to go no further. James II. had kept no standing Army out of the Kingdom, in time of peace, and the Act, after it declared the law so far as it had been broken, did not touch the Common Law beyond. Hon. Members who took an interest in the matter might read an explanation of the Act by Serjeant Adair in the debate of 1794. He was one of those men whom the hon. and learned Gentleman would have told them had wild and fantastic notions; but he explained that the Bill of Rights was declaratory only in relation to certain acts which had been committed. Mr. Fox gave two statements in reference to the Bill of Rights. He said that it was to be considered as declaring the Constitution on particular points, and not as declaring the whole Constitution. In what book the Attorney General had found it stated that the Bill of Rights was an enacting statute controlling the Prerogative of the Crown instead of declaring the rights of Parliament he could not conceive. There was one passage, in a work of Lord Beaconsfield, in which he said that the English Constitution under William III.—

> "Did not secure greater powers or privileges to Parliament than it possessed under Henry IV."

But the Motion was founded not upon any statute nor upon technicalities, but it was founded upon the long usage of Parliament, and on the principles in support of which Parliament had struggled against the Crown. For one moment only he would refer to what occurred immediately after the Bill of Rights. What definition did it receive by the men who had fought for it, and by so doing had helped "to make a small country great?" They said—"You may lay before us your Estimates; you may take your money; but we must have not Estimates only, but, along with them, the heads of the proposed expenditure." There was one Member (Sir Thomas Clarges) who must, judging by recent events, have been a stout old Tory, for he was Member for the University of Oxford, who said, when the Estimates were presented—

> "Do not give us your Estimates only, let us have also a statement of the heads under which this money is to be expended."

That was their idea of Parliamentary control. Not only did they grant money, but they saw to its disposition. Mentioning the action of Parliament immediately after the Bill of Rights, brought him to the statements of the Lord Chancellor. He had been quoted as one whose words would be read hereafter, as being an authoritative exposition of the Constitutioual law of this country. If he might be permitted to say so, he had never uttered one word in that House, except in acknowledgment of the high position which the noble and learned Lord occupied. He was aware of the pride with which the Bar regarded the Lord Chancellor, and there was no doubt that feeling was more than shared by the Members of Her Majesty Government. If the Government would not accept the responsibility of the Attorney General, they surely would accept that of the Lord Chancellor. What views the Lord Chancellor entertained as to the rights of Parliament and the Crown in this matter were now well known. He was told that the Lord Chancellor held that Parliament could not interfere with the Prerogative of the Crown to raise and maintain troops or a standing Army out of the Kingdom, and that the Chancellor supported his argument by stating that during the whole of the past century, more than 100 years, the Crown maintained a standing Army in Ireland without the assent of Parliament, and that at a time when Ireland formed no part of the United Kingdom. If the noble and learned Lord were right, then it must be admitted that the argument in support of the position of the Government was very strong. The question for the House to determine was whether the Crown could outside of the Kingdom—that was, in a narrow sense, England—raise and maintain an Army without the consent of Parliament? During the last century, before the Union, Ireland was no part of the Kingdom, in that narrow sense. If, therefore, the Crown could maintain an Army in Ireland, without the assent of Parliament, he could see no reason why it should not maintain it at Malta at the present moment. This was the crucial point. But, on the other hand, Members of the Government would admit that if the Crown asked the consent of Parliament to maintain an Army in Ireland, that was a very strong argument in favour of the contention that the Government ought to have consulted Parliament before maintaining an Army in Malta. He must say he was struck at the time by the strong position of the supporters of the Government, when so high an authority as the Lord Chancellor stated that Parliament had had no power to prevent the Crown maintaining an Army in Ireland. It was a very strong argument on the part of Her Majesty's Government; but there was this one thing wanting to it—namely, that it was without foundation in fact. He could conceive now why they had had the movement of troops; it had been directed under a total misapprehension of the facts as to this question. The assent of Parliament was given to the maintaining of troops in Ireland, and, without that assent, the Crown never would have dared to have maintained them there. He would ask the right hon. Gentleman the Chancellor of the Exchequer to say, in his reply, whether, if the fact were proved that the Crown, before it maintained a standing Army in Ireland, had the assent of Parliament, he would maintain that the Crown had a right, without the assent of Parliament, to maintain an Army in Malta? From 1691 to 1698 the English Parliament voted the Irish troops. In 1698 the English Parliament came to the resolution, and also enacted that all the troops should be disbanded—

> "That all Forces entirely—except 12,000, and those Her Majesty's born subjects, to be kept and maintained by the Kingdom of Ireland—be hereby disbanded."

In the face of that statute, would the chief Advisers of Her Majesty's Ministers assert, as a Constitutional question, that those troops in Ireland were maintained without the assent of the English Parliament? What, then, became of the doctrine that the Parliament had had no voice in the matter, and no power to prevent the Crown maintaining troops in Ireland for 100 years? But the matter did not rest there. The House would bear in mind that by the Statute of 1698, the Crown had the power to maintain 12,000 troops in Ireland. In 1767, the English Parliament, growing, probably, a little uneasy about the American Colonies, thought it advisable to add 3,000 troops to the Irish Establishment. If the argument of the Government were right, of course the Crown could have added those 3,000 troops to the Army of Ireland without the need of going to the English Parliament, even for money; for the Irish Parliament had to vote Supplies to maintain them. In those days they had men who had "wild and fantastic notions," but who did not treat Constitutional principles as "air in a bladder;" men like Lord Chatham and Lord Camden, who were careful about the Privileges of Parliament, for to them those Privileges meant the same thing as the rights of the people. And when the Crown in those days wanted, for the public good, an addition of 3,000 troops to the Irish Establishment, they did not tell the Crown that its Prerogative enabled it to raise the troops and get the money from the Irish Parliament; but they came to the English Parliament, and obtained its assent to an Act of Parliament for the sanction. The Act to which he referred was passed in 1767. It recited the previous Act of Will. III., giving assent to an Establishment of 12,000; it further recited the necessity for 3,000 more, and it gave authority to His Majesty to raise and keep in Ireland a number of troops of His Majesty's subjects, not exceeding 15,000. In the face of that statute, the Lord Chancellor had asserted that the English Parliament never gave its assent to the maintenance of troops in Ireland. There must have been a necessity for the Act he had quoted. The King assented to it, and the King's friends at that time were most powerful, and guarded the Prerogative of the Crown, as against the power of Parliament, in those days. That being so, did the Attorney General know of that statute? Did the Lord Chancellor know of it? He could not help coming to the conclusion that in the secrecy kept there was no consideration of the grave questions arising, and that there was little care or time to inquire either into the precedents for, or the principles of, the policy that Her Majesty's Government had adopted. He was sorry to occupy time in referring to the subject; but the Home Secretary had criticized what had been said by his right hon. Friend the Member for Greenwich. It was suggested that he did not read a passage he ought to have read. With all deference, he thought that observation was uncalled for. In point of fact, the passage was read by the Attorney General, perhaps in the absence of the Home Secretary, and his right hon. Friend the Member for Greenwich read nothing, but only quoted Hallam's views from memory. But there was another passage from *Hallam* which neither the Attorney General nor the Home Secretary had read, though it followed that which was quoted.

Mr. ASSHETON CROSS said, that he commented upon the passage, although he did not quote it.

Sir HENRY JAMES would ask the permission of the House to read the passage. Mr. Hallam said that—

> "It (the keeping up of a standing Army without the permission of Parliament) was, at least, unconstitutional and tending to endanger the established law;"

so, as Hallam said, even if the proposition as to absolute illegality were too wide, it still should be considered as virtually correct. The Home Secretary had made another mistake, in the instance he gave that the Colony of Jamaica did not come within the Common Law of England. He had before him the judgment of the Lord Chief Justice of England on the subject, in which his Lordship laid down that it did come within the Common Law of England. Now, his hon. and learned Friend the Attorney General thought it right to make a suggestion as to the form, and by whose hand the Motion of his noble Friend was framed. He would not follow him in entering upon the question by whom this policy of the Government was to be guided; but let the House consider under what circumstances that policy was taken. He could fancy the Cabinet Council being held at which this certainly novel act of removing troops from India into the European Possessions of the Crown was considered, and at which grave consideration was given to the matter. He gave the Government full credit for that. He presumed they took the advice of their Legal Advisers — both the Lord Chancellor and the Attorney General—and let him point out to the House into what errors those who gave that advice fell. The Attorney General must have told the Cabinet that a standing Army was a Constitutional right by the Prerogative of the Crown; he must have told them that the Bill of Rights was not a declaratory, but an enacting, statute. He must have told them that the Crown could now maintain a standing Army anywhere out of the United Kingdom, without the assent of Parliament. The Attorney General must also have told them that the precedent of 1775 did not apply. The Lord Chancellor must have told them that during a century the Crown had maintained a standing Army in Ireland without once procuring the assent of Parliament. The Colonial Secretary must have said—"I agree; for, in 1870, the additional 20,000 troops were not voted." And the Chancellor of the Exchequer certainly must have supported him by adding—"I have sent for the Statute Book of 1870, and those troops are not mentioned in the Appropriation Act." And then, he could fancy the Attorney General interposing and saying he was quite sure he could meet any objections by the Opposition, because, in 1863, the Liberal Government brought Indian troops, which had not been paid for or included in the Mutiny Act by the English Parliament, into New Zealand. The Home Secretary, too, must have given his advice, and said—"Oh, yes, this does not affect

Colonial matters, because the Common Law of England does not apply to any of the Colonies." Now, those were the notions of Her Majesty's Government at the time they determined upon this policy. Upon those errors they had acted. Those errors had been acknowledged, and yet, because the Opposition were discussing whether this act of the Government was a Constitutional one, they were told they were factious critics. They had followed the advice of their Legal Officers, and had acted under ignorance of the primary and elementary rules of the Constitution. He said the statements of the Attorney General were in opposition to the elementary rules of the Constitution. But, although the Government thus had erred in this matter, they had committed a graver error still. With consideration, and with knowledge of their position, they had infringed the provisions of a statute which declared that they had no right to apply the Revenues of India to any Imperial purpose without the consent of Parliament. But they had so applied the Revenues of India. It was no answer to say the money was to be repaid. Supposing Parliament refused, now, to vote that money, how were they to pay that money back? There was no excuse for the Government for the errors they had committed, or for their ignorance of that statute. There was one Member of that Cabinet who must have known it by heart, for he must have had it impressed upon his memory. In 1867, at the time of the Abyssinian Expedition, the Government, of which he was then a Member, broke that statute. And what did the right hon. Gentleman do then? He would use his very words. He came down to this House, and said—"We are very sorry for having broken it." Why did not the Government say that now? He would tell them. A Ministry would never act unconstitutionally, unless they had a large majority, and it was against Ministers with a majority that they had to contend that night. But, in 1867, the right hon. Gentleman belonged to a Ministry which was in a minority, and then, having done less than they had done now to infringe the Constitution—for then no Indian troops were brought into the Possessions of the Crown, but only into Abyssinia — he came to this House, and said—"We are very sorry for what has happened." Why did not they do that now? Because they were in a majority and not a minority. They relied upon the certainty that, having erred alike against Constitutional principles and the statute law, which the Attorney General said alone they might look to, they would be supported by their majority. They trusted to their majority not to say "this is a case of emergency;" not to say "we justify you because you acted for the public good"—as he admitted Ministers ought to in time of emergency—but to say "you have neither broken the Constitution nor infringed a statute." The hon. and learned Member for Sheffield (Mr. Roebuck), who he was glad now to see in his proper place, on the Conservative side of the House, asked—"Who is enjoying less personal liberty in this country at this moment because Indian troops are moved to Malta?" He thought the answer which would come from everyone would be "Nobody." But, was that the question they had to determine now? What they were doing now was to maintain the right of Parliament to say—"You shall have no troops in your possession without the consent of Parliament." It was not a question now so much of a standing Army; it was a grave question of policy. The Parliament of England gave to the Crown the right of making war or concluding peace; but they kept that great Prerogative power of war or peace always in check by determining the number of troops at the disposal of the Crown. The policy of a Ministry must depend upon the means which they had of carrying it out; and, therefore, when they asked to have at their disposal the right of voting the number of troops which should be maintained by the Crown, they exercised a power over the Crown as to whether it should maintain excessive Military or Naval Forces— whether it should have the power of making war at any time. They had been asked why they had brought forward this Motion? They had brought it forward in the hope that what had been said and the protests which had been made would counteract the action of the Government as a precedent in relation to the Constitution. The debate of 1775 had been quoted over and over again. The majority, then, was overwhelming against those who protested. But at what did they look in that debate? They looked at the words of the men who spoke, at the words of Lord Camden, Lord Shelburne, and others, in order to learn what was the Constitution of this country. Since then 100 years had passed, generations of men had come and gone from that House, and generations of men would come and would go; and so, in the future, there would be men seeking to learn from the discussion of to-night the principles which governed them in this time, and, as they turned over the pages on which to-night's history would be written, on which page would their minds dwell? It would not be on the record of the division which would tell only of the blind cohesion of a Party. No, they would turn to the sayings of such men as the noble Lord and the right hon. Gentleman the Member for Greenwich, and would learn that there were those amongst us who refused to desert the imperilled privileges of Parliament, and so to sacrifice the best interests of the people.

THE CHANCELLOR OF THE EXCHEQUER: Mr. Speaker, the hon. and learned Gentleman, more than once in the course of his speech, apologized to the House for being obliged to detain us upon "dry and technical points of law." Now, Sir, there is no Member of the House, I will venture to say, from whom an apology of that kind—especially when he is speaking upon a subject of a legal and Constitutional character—is less required than from the hon. and learned Gentleman. There is no one who has a better title to be heard or whom the House would more attentively listen to upon such a question; but I was sorry that the hon. and learned Gentleman should have felt so much diffidence in his own power of commanding and retaining the attention of the House at this hour, if he had confined himself to dry legal details, that he thought it necessary and expedient to enliven his speech with a great deal of unnecessary warmth, and with a good deal of matter which had nothing whatever to do with the subject before us, and some of which I regretted to hear fall from his lips. Now, considering the large matters which the hon. and learned Gentleman had to speak upon, and how much he had to say, I think we might have been spared some part of that attack—I will not use the word attack; but of that disagreeable criticism in which he indulged with regard to the hon. and learned Member for Sheffield (Mr. Roebuck). It seems to me that it was not altogether necessary for the purposes of debate, and that it was scarcely justified by anything which had fallen from an hon. and learned Member who is so justly and largely respected in this House, to rake up some old forgotten pamphlet about the time of the close of the Napoleonic Wars, and which contained what was then the opinion of the hon. and learned Gentleman of the Tory Party. Whether the Tory Party have improved since that time, or the hon. and learned Gentleman has learned to know them better, I cannot tell; but certainly, the opinion which he was good enough to express with respect to us this evening was more favourable, and at this time of night it appears to me we might have been employed otherwise than in discussing that matter. I will endeavour to abstain from imitating the hon. and learned Gentleman who has just sat down, in various ways. I cannot pretend to cope with him in discussing the legal points which are involved in the question under our notice; but I will, as briefly as I can, remind the House what is the real point which it appears to me is now at issue. We are asked by the noble Lord the Leader of the Opposition to pass an abstract Resolution—I will not trouble the House with the words—with regard to what is required by the Constitution as to the keeping of the Forces by the Crown, and we are asked to do so in circumstances which distinctly show that no direct charge is made against the Government as to anything which they have done. Nothing of that sort is contained in the terms of the Resolution, the meaning of which undoubtedly is that there is a necessity that Parliament should place upon record the doctrine which it enunciates as to the conduct of the Government. I put the matter in the way in which hon. Gentlemen opposite wish it to be put. They do not consider the case is one in which it is their duty to bring forward a direct Vote of Censure; they do not consider the case is one in which it is right or necessary to discuss even the main lines of the policy which are involved in the measure we have adopted. Some of those who have spoken have travelled a little outside these bounds; but these are the limits which the noble Lord and the leading Members on the opposite side have prescribed to themselves. Well, we say in reply, whether your doctrine as you propose to lay it down be true, or whether it be false, we are equally convinced that there is no occasion whatever for your coming forward and laying down such a doctrine in an abstract form. We believe, and we ask the House to affirm, that existing statutes and existing practice with regard to the maintenance of troops by the Crown are sufficient to preserve and maintain all that the Constitution desires should be preserved and maintained. And we say it is even weakening those safeguards unnecessarily to place any new Resolution on record, and that there is nothing whatever in the circumstances which have occurred which justifies or calls for such a Motion. Therefore, we do not attempt to raise questions in any other form than this—that we move an Amendment to the effect that the Constitution is sufficiently expressed in the Acts of Parliament which exist on the subject, and that the Constitution is sufficiently fulfilled by the course which is to be taken with regard to the voting of the men, and voting the money and Supplies, and so forth. There is nothing in the conduct of the Government now or at any other time which calls for any other declaration. That is the issue which is before us; and I maintain, whatever may be the result of isolated questions upon particular points which have been discussed, that that position is sound and unassailable. Now, I wish to say one word, and one word only, upon the question of Prerogative. We have heard a great deal said in the course of this debate, and elsewhere, which would lead one to suppose that the Prerogative of the Crown was in some way or other opposed to the Constitution of the country, and that, in this instance, there was a struggle between the Prerogative and Constitutional rights. Now, Sir, that is not at all the view I take of Prerogative. I consider Prerogative, so far from being opposed to the Constitution, is, in fact, part of the Constitution. The Constitution of this country would not be what it is if it were not for the Prerogative which the Crown has entrusted to it, and which is exercised, let me say, not for the personal or selfish benefit of the Crown, not for the personal advantage of the Sovereign, but for the general good of the community. The Constitution under which we have the happiness to live is a Constitution which has been framed with the view of attaining the best objects and working of Government, and it has been the opinion of our ancestors, and it is our own opinion, that the Prerogatives of the Crown are essential to the proper working of the Constitution. And, therefore, the Crown is entrusted with certain Prerogatives—as, for instance, in the case which is now before us, the Prerogatives of declaring peace or war, commanding the employment and administration of the Army, or the other Forces of the country. But the exercise of those powers is subject, of course, to the control which Parliament possesses. The Crown exercises every Prerogative not absolutely nor despotically, but is subject to Constitutional checks which have been devised, and which were not devised at one time, but in consequence of exigencies which from time to time have occurred. We have been talking, and necessarily must talk, of the Bill of Rights, and the other important statutes passed at about that period. But, as we have been told by many hon. and learned Gentlemen and others, that was not the beginning of all things. There was a great deal of Constitutional right before that. There have been many changes in the practice, and many changes in the circumstances, of the country since then; and the position of affairs is by no means the same as it was at the time the Bill of Rights and the other legislative enactments were passed. Well, now, what have we come to? We have come to a state of things in which all those dangers against which the Bill of Rights was especially directed have become practically impossible. Parliament has obtained such control over the action of the Crown in these matters as to make it utterly absurd to talk of being in danger. It would be utterly absurd to talk of seeing any danger of the action against which the Bill of Rights was directed. In the course of the debate we have heard a great deal about the words "this Kingdom." I cannot go into the question as to how far such words may possibly extend; but what I will refer to particularly is, that our ancestors passed this Bill of Rights as a declaratory Bill of their rights with regard to the Crown, and not with the view of directing the action of the Crown in foreign affairs, or in foreign wars. It was for the express purpose of preserving their own liberties at home that the Act was passed. They suffered from the maintenance of Forces which had been raised by the Crown, and which, to a great extent, were paid out of its private resources. They suffered by the maintenance of Forces, which were sometimes raised to overcome Parliament, and sometimes to oppress the people of this country, and to oppress them in this particular form. Not under the form of billeting, which in our own day causes a certain amount of inconvenience to particular traders when the inhabitants of a place have to find quarters for troops, but in the shape of billeting, which in those days was a very disagreeable thing indeed, and that carried with it a great deal more than mere accommodation for soldiers. When in any particular place soldiers were put under martial law, and the martial law extended not only to the soldiers but to the place in which they were billited, then there was good reason to object, and hence the protest that was made. But, since that, a different state of things has grown up—Parliament has asserted, and has obtained, a complete control over the Crown in the matter. It possesses great power of granting and refusing Supplies, and, although that power may be evaded for a few months, it is the great cardinal power by which the House governs in these matters. And Parliament possesses a great deal more than this, for it possesses, in the case of any trespass or abuse being attempted by Ministers, the power of turning them out, and at once bringing about a new state of things. But its power goes beyond even that. Parliament possesses the power, which it usually exercises, of passing the annual Mutiny Act, and by that means it enacts and makes it legal for the Crown to keep on foot a certain number of men, under whatever conditions or at whatever places they are kept. It does no more than say that it shall be legal for the Crown to have 135,000 as a standing Army. For the space of one year, Parliament, by the Mutiny Act, enacts that the Crown shall deal with these men and keep order and discipline amongst them. If that Act were to expire—if it were not renewed when it came to an end—the power of the Crown over the Army would stop, and it would be impossible for the Crown to keep that Army on foot. Therefore, there is a very clear and distinct power which Parliament, and this House especially, exercises over the right of the Crown to keep a standing Army. Well, then, we come to the question, how far is it that this state of things limits the power of the Crown? What we have always understood, and what, I think, all on both sides of this House will agree to—at least as a minimum—is this, that it is not legal for the Crown—it is not legal for the Ministers to advise the Crown—to bring into this country—into the United Kingdom—any Force beyond the number authorized by Parliament. What is the number authorized by Parliament? There is certainly the fixed number authorized in the Preamble of the Mutiny Act—namely, 135,000 men; but there are other Forces which it is perfectly legal to maintain in this country, because they are authorized by Parliament under other laws—I mean the Militia and the Reserves. These are not included in the number voted in the Mutiny Act, but they are authorized by Parliament under certain other statutes. Therefore, though not in the Mutiny Act, it is with the consent of Parliament that you employ them in this country. If that is true, that you may maintain certain Forces in this country which are not specified in the Mutiny Act and yet raised with the consent of Parliament, it follows that you cannot say because any particular Force is not mentioned in the Mutiny Act it cannot have the consent of Parliament. I wish that principle to be applied to the Indian Army, for it is one which the Crown maintains without its being inserted in the Mutiny Act; but it does not maintain it without the consent of Parliament. It maintains it by virtue of the authority given to the East India Company long ago, and subsequently transferred to the Crown. The power given to the Crown by Act of Parliament is given without limitation of numbers, and, therefore, it is upon very different terms from that which is given us to maintain the 135,000 men mentioned in the Mutiny Act. That the Indian Army is one which is duly authorized by Parliament is what I will venture to contend. I will not weary the House by attempting to go into the technical question; but these are our contentions—we contend that the authority given by Parliament to the Crown to maintain this Army, which is also duly raised under Parliamentary power, and which is raised upon terms that bind the soldier to go wherever he is ordered, gives authority to use those troops wherever they are directed to be sent, except when they are prohibited. It is, *primâ facie,* the right of the Crown to use that Army which is regularly authorized, and regularly constituted—an Army which is under proper discipline—it is, I say, the *primâ facie* right of the Crown to use that Army anywhere, except where it is forbidden by statute to go, and except under such limitations as are imposed by statute. What are they? One of these limitations is directed against bringing that Army into the United Kingdom. I know that there is one point which is at issue between us and hon. Gentlemen opposite. They deny that "Kingdom" means all the Dominions of Her Majesty. We dispute that point, and contend and believe that there is no ground—I may say, not the shadow of a ground—for maintaining that that is the correct view. Take the language of the Bill of Rights; that does not seem to carry more than the Kingdom of England as it was then. Take the precedents that have occurred from time to time—the changes that have taken place in the language of the Mutiny Acts—and see how the "United Kingdom" has gradually been substituted for "this Kingdom," and how the interpretations placed upon the language of Parliament, and upon the Constitution, by those who drew up and passed the Mutiny Act from year to year, are consistent with our contention. The hon. and learned Member quoted the language of those who took part in the debates in former years, particularly in the year 1775. I will not go into the question as to whether their language bears the exact meaning attributed to it or not; but I say that the alteration made in the Preamble of the Mutiny Act is the more forcible, and the more valuable, and, I may add, the more sensible interpretation of the meaning of Parliament than anything that can be gathered from it. Parliament may have changed its intention, if you like; or it may be that a former Parliament knew better than we do what its intentions were. Look again at a matter which may be fresh in the recollection of those who have attended these debates. There is a clause in the Mutiny Act—the 4th clause—which is nonsense, unless it mean that troops that must not be brought into the United Kingdom may be sent into the Colonies. It provides for troops to be drafted into the Colonies that cannot be brought into the United Kingdom, because those troops are not in the Mutiny Act. I have not heard any explanation given of the meaning of that clause by the hon. and learned Member for Taunton (Sir Henry James). How that 4th clause is to be explained, unless there is some such inference, I am not able to say. So much in regard to the restrictions imposed by the Mutiny Act upon the Prerogative of the Crown. We contend that it does not apply to the Dominions of Her Majesty outside the limits of the United Kingdom. But, then, it is said—"What a monstrous assertion you are now making; you are advancing a claim on behalf of the Crown to keep a standing Army of unlimited amount in any of the Dominions of Her Majesty outside of the United Kingdom without the consent of Parliament." If language is to be tortured, and we are to be pressed into extreme and absurd difficulties of that sort, we may as well close our debates altogether. All those clauses are subject, of course, to the Constitutional control which Parliament exercises over the Ministers. Take the question of the Prerogative of declaring war. It is very truly said that if you put in an extreme claim to construe the Prerogative strictly, the Crown has the right to-morrow morning, without the consent of Parliament, to declare war against France, Spain, Germany, or any other country, for any cause, or even for no cause, simply because it suited the fancy of the moment. But everybody knows that, although strictly the Prerogative of the Crown, it is as utterly impossible for any such thing to be done as it would be for us to commit any other act of madness or folly. Because it can be pressed to such absurd conclusions, it does not follow that the doctrine is not true; for almost any doctrine, if applied without reference to common sense, may be reduced to absurd conclusions. I know that absurd conclusions have been suggested by the hon. and learned Member for Durham (Mr. Herschell), and to those observations I make the same reply—that we make this claim subject to the reasonable and Constitutional construction of it. I am told that there is another limitation expressly applicable to the case of the Indian Forces. It is the express limitation, of which you have heard so much, in the 55th section of the Government of India Act. I should be wearying the House unnecessarily were I to repeat the whole history of the clause. I need hardly say that it is well known to have been introduced, in the first instance, by the right hon. Member for Greenwich to prevent the Indian troops being sent outside the limits of India, except in the case of invasion or other imminent danger. It was objected to by many great authorities—and none the less eminent because they belonged to the Liberal Party—Lord Palmerston, Lord John Russell, and Sir Cornewall Lewis expressed an opinion that it was not right to limit the Crown in that manner. They quoted history, and gave illustrations to show how injuriously it would work. Upon these representations, the clause was altered and another substituted. What was the meaning of putting in another clause permitting the troops to be sent where they were wanted, but providing that the Revenues of India should not be used to carry on a war without the knowledge of Parliament, if it were not wished to allow Her Majesty to make a proper use of her Indian Forces? I reminded the House some time ago that the clause received its construction not only from the language which was used at the time when it was proposed and discussed, but from the interpretation that was put upon it in the Votes of the same year by the Government of Lord Palmerston itself. In the case of the China Expedition, the troops were sent from India to China without the knowledge and consent of Parliament. That was done; and, for some time, at all events, a charge was made upon the Indian Revenue, but ultimately a Vote was taken to replace the cost. My right hon. Friend says he could justify that case, because it was a case of emergency. [Mr. GLADSTONE: A sudden, immediate necessity.] I certainly heard that, and I think, also, it was the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) who, in a very able speech on the first night of this debate, in commenting on the clause, said—"It was perfectly evident that the case of an invasion and an emergency applied not to an emergency that might arise in any part of Her Majesty's Dominions, but only in India." But this was not the case with regard to China. That was no part of India, but a place where the British flag had been insulted, and a sudden emergency arising, it became necessary to send troops. The Government of the day acted very properly—and, I think, Constitutionally—in taking the Indian Forces, and sending them at once, because they were the nearest and most convenient to the scene of action, just as we sent them to Abyssinia because they were the nearest. We have sent them to Malta for the same reason, because, under the circumstances, they were the most proper troops to send. But, let me just say one word with reference to what has been done since as regards the financial control. Whether the point is or is not as to the payment of these troops out of the Indian Revenues, I do not care. It may be one or the other. But the action taken in 1860 was much more calculated to defeat either or both of them than the action we have taken. The Force was sent out several months before it was mentioned in Parliament, and the expenses were incurred by the Indian Government, and it was not for some considerable time afterwards that Parliament was asked to repay the Indian Government the sum disbursed. We propose to repay the Indian Government at once. We do not even propose that the Indian Government shall be any money out of pocket if we can help it. India has undertaken a commission for England. She has sent a certain number of troops, and it is proposed that we shall undertake, on the part of this country, to repay every farthing of the expenditure so soon as we can get the information necessary to enable us to lay an Estimate before the House. I said, three weeks ago, that we should be able to lay that Estimate on the Table shortly, and on Monday I hope to do so. In the meantime, we keep the House informed of what we are doing, and we give the House an opportunity of pronouncing, at the earliest possible period, on the propriety of that expenditure, and we feel satisfied that they will make it good. Short of coming to Parliament for its previous consent before the measure was undertaken, I do not see what the Government could do more than it has done. Those who complain that Parliament is going to be put in a cleft stick by our course, are hardly consistent in saying that we ought to have asked for a Vote of Credit. If we had asked Parliament to do what I have no doubt this House would have done—re-voted the remainder of the credit of £6,000,000 not expended—if we had done that, we should have been told that those expenses ought to have been paid out of the Vote of Credit already taken. If that were so, we need not have come to Parliament for a Vote at all. I expressly stated, in bringing in the Budget Statement, that we did not propose to ask for a re-vote; we think it better to come with a Supplementary Estimate. Then, as to the concealment. It would not have been in my power, and it would not have been my duty, to have given information as to this particular measure which was then in contemplation, and which for military reasons it was necessary should be considered and matured in the breast of the Cabinet, in consultation with the Indian Government, before it was made public. If, Sir, we are not to be trusted in such a matter as the transfer of troops from India to the Mediterranean—a subject which could not be conveniently discussed or canvassed openly in the House of Commons—why, no doubt, we must be most incompetent and unfit to be Ministers of the Crown. I wish to say that, in what we have done, we have, so far as it was in our power, endeavoured to act strictly in conformity with what we believe to be the law. We do believe that we have kept the law—that we have not violated the provisions of the Bill of Rights, as we understand them—notwithstanding all that we have heard in this debate against our construction of it, we believe that we have not violated the provisions of the India Government Act. If we have done anything that can be called illegal—and I hardly think we have done even that—it is that we have committed ourselves to a certain expense, for which we are going to ask a Vote of Parliament. We have committed ourselves to that expense before we knew whether Parliament will sanction that Vote. This is a step which in one sense is illegal; and yet I doubt whether, in this case, it really is illegal, because we have Votes from this House for transports and pay, and it is only under these heads of Service that the expenses have been incurred. True, the sum we have taken is not sufficient to meet the charge of these troops; but, so far as it has gone, it is not true that if Parliament rejected this Vote, the expense would be thrown upon India. It would place the Government in a grave and awkward position, and would cause great confusion in the Army and Navy Estimates. However, even if Parliament refused the Vote, it would not involve the expense being thrown upon India. A great deal has been said about the conduct of General Peel and the language he used. He has been appealed to as a very high authority upon these matters. No one respects his authority and his opinion upon these questions more than I do; and in this particular case I respect it the more, for at the time General Peel was raising the question I had the honour to sit next him on that bench, and I was in frequent consultation with him upon the line he was taking. What was it he complained of? He was not contending that you could not raise the troops without having put them in the Mutiny Act in the first instance; he was not raising the question of the propriety of the expenditure at the time these troops were sent; what he objected to was their being kept at Hong Kong and Singapore, and maintained as a regular part of our Forces without their being put into the Mutiny Act. I quite agreed with him there, and I quite agreed that it would be most wrong to maintain troops for a long period as a part of the Regular Army without putting them into the Mutiny Act. When calling attention to the fact, General Peel complained that the Government did not put down these troops at all. He could not find out how the troops were to be paid for. It remained on the Estimates and accounts between the War Office and India, and Parliament knew nothing of it until General Peel forced the Government of the day—that of the right hon. Gentleman the Member for Greenwich—to put those troops in the

Army Estimates. There is no doubt, if a similar matter should occur—if these troops were maintained for a long period in the Mediterranean—it will be the duty of the Government to deal with them. But the point I advance is, that General Peel's action has nothing to do with the present position. There are many other points to which I might direct attention, but I feel ashamed to detain the House. It is not necessary for me to go into all the legal points which have been so well argued. But I must allude to one thing—namely, the remarkable case brought up against us by the right hon. Gentleman the Member for Greenwich. He said we had forgotten all about the precedent of 1816, when there was a considerable British Force in France, and it was proposed that no money should be voted for these troops, because the French Government were ready to pay for and maintain them. And he says that sort of thing might happen again. I fancy someone threw out the idea, that possibly we might have the Indian Army brought into the Mediterranean and subsidized by the Government of Austria. I can only promise that if any such proposal be brought before the Government, the House shall have most ample means of considering it. But, really, the thing is too ridiculous to discuss. The control—the proper control—of Parliament over the employment of the Forces of the Crown is not weakened in the smallest degree by that which we have done. If we thought it had been, we should be the first to say—"Let us lay down any principles which are necessary to secure it." But we do not believe it, and, that being so, we cannot assent to any unnecessary and superfluous, and, therefore, mischievous Resolution. Sir, the fact of placing a superfluous and unnecessary Resolution upon the Books of Parliament, even if it were true, is in itself inconvenient. It is an imperfect expression. A Resolution that the first five Commandments were binding on Christians would be true, but the omission of the other five would give rise to considerable discussion as to why they had been left out. We say that we are acting in a spirit of loyalty to the Constitution. We say, in supporting the Prerogative of the Crown, we are not impugning the Constitution, but we are strengthening and maintaining a most essential part of it. We say the object for which we are doing this is an object, not for conspiring against the liberties of the people, but for the sake of maintaining great Imperial interests abroad. We have in view the protection of the interests of the Empire, and there is no idea of reversing the policy of the great men who passed the Bill of Rights. Nothing can be further from our thoughts. We know very well that the policy we are carrying out does not commend itself to everybody. We know perfectly well that there are some who dissent entirely from the line of policy we have adopted, and there are others who, although they do not dissent from our objects, are yet sceptical as to the course we are taking. They do not believe it is a proper course, or one that will lead to the results to be desired. We have, under a sense of deep responsibility, and under a sense of very great anxiety, endeavoured to do that which we thought was our duty to our country; and we have taken a course of measures which we believe to be best calculated to obtain a proper hearing for this country in the Councils of Europe, and to enable the country to take a proper position for the attainment of objects which I believe the great majority of the nation in reality demand. Of course, when we are discussing the propriety or impropriety of a particular step with Gentlemen who do not agree with that course itself, we stand at some disadvantage, because we are really arguing with different ideas in our minds. I give credit to right hon. and hon. Gentlemen opposite for being actuated by as patriotic motives as ourselves; and I believe, although I think them mistaken on some points, that they are equally desirous of maintaining the interests of the country. I claim from them that they should give the same credit to us, even though they may think the course we have taken is unwise, and that they will believe we have taken it honestly, and to promote no sinister object. We have taken the step of summoning a certain small, but gallant, portion of the Forces of our Indian Army to come to aid, if it should be necessary, in maintaining that which is not more a British than an Imperial interest, and, if an Imperial interest, then I am bold to say an Indian interest also. I believe the interest which the Indian Government has in this matter is far superior to any it had in the Peiho or Singapore Expeditions. There is a necessity laid upon us of seeing that our communications with India are uninterrupted—that is of importance to both sides of our Empire; and it is not unreasonable that we should call, if so advised, for some aid from our Indian Forces in maintaining these communications. Whether that be so or not, I entirely agree with what has been said by more than one speaker—that, however important the objects you are seeking may appear to be, their attainment would not be worth their price if it involved the sacrifice of the precious principles of the British Constitution. Attaching, as I do, great importance to the step we have taken—attaching, as I do, the greatest importance to the prosecution of the policy in which we are engaged—I would not recommend it if it infringed the principles of the Constitution. I do not believe that it does infringe those principles. Fully believing that the principles of the British Constitution are safe, and that there is no necessity for any superfluous vindication of them, I call on the House to reject the Motion of the noble Lord, and accept the Amendment of my right hon. Friend.

Major NOLAN said, it was not the custom of the Irish Party to follow the rules which governed the supporters of Ministers or ex-Ministers, and consequently he desired to make a few remarks. The Chancellor of the Exchequer had not made out any case for employing the Indian troops without the sanction of Parliament being first obtained. He did not see why the Chancellor of the Exchequer should not, before the adjournment for the Easter Recess, have acquainted the House with the intentions of the Government. Considering the right hon. Gentleman had not made out any case of urgent necessity for the employment of the Indian troops he (Major Nolan) intended to vote for the Resolution of the noble Lord the Leader of the Opposition. He wished it to be distinctly understood that he did not object to the employment of Indian troops with the consent of Parliament, but he strongly protested against such a course being pursued without Parliamentary sanction, and hence he should vote against the Government. The proceedings of the Ministers in this respect either meant nothing or that this country was on the verge of a serious war. This step on the part of the Government seemed to him to be the natural sequence to what was called the Empress policy. It was a dangerous proceeding for the Government to deal with the resources of India without the consent of Parliament. The control of Parliament over the establishment and movement of troops at home was, to a large extent, a guarantee of our Constitutional liberties, and he thought this country ought to be even more jealous of the movement of Indian troops without the consent of Parliament than of the English Forces.

Mr. BROMLEY-DAVENPORT asked the indulgence of the House for a few moments. It was his duty not to give a silent vote on that occasion. He represented a large and important constituency (North Warwickshire), but which up to that time had been misrepresented in that debate. His constituency was second to none in its loyalty and patriotism, and he asserted, on its behalf, that he considered the conduct of the Government in this great, dangerous, and imminent crisis had been worthy of the highest praise. He considered that under the unprecedented and difficult circumstances in which the Government had been placed, they had acted with the greatest prudence and patriotism, and with the intention of, if possible, carrying out a pacific policy. He asked the attention of the right hon. Member for Greenwich to this fact. As long as the nation was influenced by his great eloquence what was the result—war, which he thought everyone must consider was a horrible, cruel, and brutal war. He believed he was quoting the words of the right hon. Gentleman correctly, when he said that the right hon. Gentleman had described it as a great and mighty enterprize, and that its results were glorious. But the nation now had a very different opinion, and the moment the nation ceased to listen to the brilliant eloquence of the right hon. Gentleman, what was the result? Peace, or the immediate prospects of peace. He asked his hon. Colleague (Mr. Newdegate) to remember that on the dimensions of the division that morning very much depended in the interests of peace, and that if he voted with the Opposition he would be voting directly in the interests of war.

THE MARQUESS OF HARTINGTON: The speech we have lately heard from the Chancellor of the Exchequer has tended to cast somewhat of a calm and pacific influence over a rather warm discussion which preceeded it. When I listened to the speech of the right hon. Gentleman I was almost inclined to think that I was rather listening to a mediator between the two contending parties, than to one who was himself taking part in the contest. I really cannot say whether he did not argue as much against the extreme pretensions which have been put forward on the subject of the Prerogative of the Crown upon his own side, and, indeed, by some of his own Colleagues, as against anything which has fallen from this side of the House. The strongest thing he said was that there was no necessity for this Resolution. Now, I did not hear him say a single sentence which contradicted any proposition I have laid down; he merely says what the Home Secretary said—there is no necessity for what I have done. I have one word to say, and that is that we think the action taken by the Government, coupled with the declarations which have been made on this occasion, are in themselves mischievous; but we think that far more than anything they have done at present, their action tends to the establishment of a dangerous precedent which may hereafter be injurious to the liberties of the House and the liberties of this country. That is why we think the action of the Government, coupled with the declarations by which it has been supported, cannot be passed over. The right hon. Gentleman has begged the House not to press abstract truths to what he has called absurd conclusions. He said, and it is undoubtedly true, that it is the Prerogative of the Crown to make peace or declare war; but he says that that Constitutional axiom may be pressed to an absurd conclusion. I do not fully share the right hon. Gentleman's confidence in the accuracy of that statement. It appears to me that it would be perfectly possible for a Government to advise the Crown to declare war, and place Parliament and the country in a position from which they could not recede, however much they might repent it. That, it is clear to me, would be to press the Prerogative to an absurd conclusion. The right hon. Gentleman gave one illustration, which seemed to me to show, almost better than anything else, the real character of the pretensions made by the Government. The right hon. Gentleman the Chancellor of the Exchequer said the Government would have been placed in what he called a cleft stick if, instead of taking the course they have adopted, they had asked the House for a Vote of Credit to meet the expense of moving the Indian troops to Malta. Now, let me suppose that the Vote of Credit which was obtained by them some time ago, instead of being expended within a few months, remained unexpended for eight or nine months longer—what necessity, I would ask, would there be that they should come to Parliament at all for the necessary money for the removal of these troops? This is entirely within the Prerogative of the Crown, the only control Parliament having being the providing of the expenses. But supposing, I say, the Government were in possession of an unexpected Vote, and had funds at their disposal, what necessity is there to come to Parliament at all? According to the Government dictum, the troops might be moved from India to Malta, and the whole transaction never brought before the attention of Parliament at all, until after the Vote of Credit had expired. I do not know whether the right hon. Gentleman would call that an absurd conclusion; but it appears to me to follow upon the assertions and pretensions put forward by the Government. The right hon. Gentleman, I may add, paid but very slight attention, in the course of his remarks, to the Amendment which has been moved by Her Majesty's Government. I still fail to see to what provision of law the Government refer in their Amendment. It does seem to me, with all the ingenuity and legal talent at the disposal of the Government, there is no law to be found, neither in the Mutiny Act, in the Bill of Rights, nor in the Indian Mutiny Act, which puts the uncontrolled disposal of these troops in the hands of the Government. Her Majesty's Government rest their defence upon two pleas—they plead that they are perfectly justified in what they have done; and, further, that an emergency existed which justified them in so acting, even if against the letter of the law. The right hon. Gentleman the Secretary of State for the Colonies charged me with being either unable or unwilling to recognize that any emergency existed. Now, Sir, I am perfectly willing, for the purpose of argument, to admit the existence of an emergency in the present case. I am bound to admit that a very short time ago the House voted the existence of an emergency. But because that has taken place, are we to be perfectly blind to the nature of the emergency, and to say that it is one which would justify the Government in taking any measure which they may think fit? Why, what is the emergency upon which we voted a short time ago? We are told by the Government that it was one which rendered necessary some preparations. We are told that measures of preparation only were required. But is this one of the measures of preparation? What is the object of it? Not to place 7,000 additional men as soon as possible in Malta, as that object would have been accomplished a great deal more expeditiously by sending troops from England. The object was not to increase the resources of Malta, but to show to the whole world that you have power to move and dispose of the Forces of your Indian Empire for the purposes of European policy. If that emergency was one of such instant and urgent necessity that Her Majesty's Government were obliged to move those troops in such haste that Parliament could not be consulted or informed of it until afterwards, I quite recognize the point, for it might be right to use the whole of the Indian armament for the purpose of European policy, yet the measure taken is one which would have been more effective if it had been deliberately sanctioned by Parliament before being carried into effect, instead of being done in such a hasty manner that Parliament is unable to do anything in it, except vote the expense which has been incurred in the Estimate that will be presented to it. The hon. and learned Member for Sheffield (Mr. Roebuck), in language to which we are now tolerably accustomed, criticized somewhat severely the conduct of the Opposition, and proceeded to compare the conduct of the Opposition with that of the Government, in that impartial and judicial manner of which he is a master. He said the Government must know the state of affairs better than anyone else, and that the measure which they proposed must be the best which could be taken in the emergency. Referring to our conduct, he said we knew nothing at all about the matter, and suggested that our conduct could only have been dictated by Party animus. Well, if that be the state of the case—if the Government are the only people who can know anything about the matter, and if we have no pretensions to represent the opinions of the country—what is the use of keeping Parliament in Session? If it be unpatriotic to discuss in any way or to raise the slightest doubt about the perfect wisdom of the course taken by Her Majesty's Government, why are we given an opportunity of discussing it? Why are the Estimates presented to us? And why are we asked to vote the Supplies for the year, if we are not to discuss them? Her Majesty's Government had better send us home as rapidly as possible if we are not to be given an opportunity for taking this factious and unpatriotic course. The hon. and learned Gentleman wound up with a rather strong declaration as to the unpatriotic course we have taken, and I think he said that it is not what honest and patriotic men would have done. The hon. and learned Member ought to be a good judge of these things. He has not always been sparing of criticism on a Government for their proceedings in reference to war. He moved no less than three Votes of Censure on Administrations for their proceedings in war, before war, and during war. His experience, therefore, ought rather to have influenced him in favour of the wisdom of the course we are taking in criticizing the proceedings of the Government while the measures are in contemplation. I do not think after the war was over there would be any use in discussing the matter. It would be as dead as Julius Cæsar. The hon. and learned Gentleman did not think it unpatriotic, while war was going on, to criticize the proceedings of the Ministry, and he was then successful, for he turned them out; and, not satisfied with that achievement, when he got a Minister more to his taste at that time, at any rate, for he was a most energetic supporter of the war—when Lord Palmerston succeeded Lord Aberdeen—the hon. and learned Gentleman did not leave off his attacks. When Lord Palmerston appealed to the hon. and learned Gentleman to refrain for the moment from pressing his Motion for the immediate appointment of a Committee to inquire into the administration of the Army in the Crimea, he would not hear of it, and it is certain that he did not then think that the Government were the only people who could possibly know anything about the matter. At all events, I must say, that great as may be the influence and authority of the hon. and learned Member, I must decline to receive from him, or from any other Member of this House, instructions as to my course. I assert that I, and those who act with me, are as honest and as patriotic as the hon. and learned Member himself. Sir, I confess that I should like to have said something about our old friend the Bill of Rights. I beg the House, however, not to be alarmed upon that subject, for I see that the hour is too late for me to do so, and I will not trespass upon the attention of the House by entering upon the legal argument. We have had an extremely interesting discussion of the legal points between the hon. and learned Members of this House. But I think too much importance has been attributed to the interesting speech of the Attorney General. In the course of this debate, the House will observe the great importance attached to that speech by both sides. I think almost undue importance has been attached to it, for able as was the argument of the Attorney General, it must be recollected that he stands towards the House and the Government, of which he is a Member, in a peculiar position—in a position which is unexampled, so far as I know in history, of any Member of any Government of this country. I read the other day a speech delivered by the hon. and learned Gentleman during last Easter Recess to his constituents at Preston. I think I may trouble the House with a short extract, to show the relation in which the hon. Gentleman stands towards the Government. The Attorney General said—

> "It was, in his humble and honest opinion—and he would say so at the risk of getting a good 'wigging'—a most unjust war waged by Russia against Turkey."

He went on to say he would have declared to Russia as soon as war was declared—"If you send a single soldier across the Pruth we will declare war against you." I do not know whether the hon. and learned Gentleman got the 'wigging' which he anticipated; but, at all events, his speech shows that the Attorney General occupies a somewhat remarkable position towards the Government. He is bound, no doubt, to defend them in this House, but he is evidently not bound to agree with them. We know now what his opinion really is about the policy to be pursued when war broke out. The hon. and learned Gentleman made a very good speech in May last year in defence of the foreign policy of her Majesty's Government, which I am under the impression was not a policy of declaring war against Russia when she crossed the Pruth, but a policy of conditional neutrality. Therefore, I think that we ought not to attach too much importance to the opinions advocated by the hon. and learned Gentleman on this occasion. He has defended the action taken by the Government, as it was his duty to do; but what his real opinions are as to the Prerogative of the Crown with regard to a standing Army and the Privilege of Parliament, we must wait for until six, nine, or twelve months hence, when he goes to address his constituents at Preston. My right hon. Friend the Member for Greenwich, I think, conferred a benefit upon the House and the country by the statement, which I will not weaken by repeating, as to the contentions virtually made by Her Majesty's Government in this House. The Under Secretary of State for India reduced those contentions the other day to an arithmetical form for the assistance of the House, and I think he stated the case rather neatly, although, at the same time, not quite accurately. The Under Secretary of State for India said that the Mutiny Bill authorized the Government to keep so many men out of India, *plus* so many men in India. Well, that appears to be a very accurate way of putting it; but the hon. Gentleman really asked the House to assert that the Mutiny Bill and the other Acts bearing on this subject enabled Her Majesty to maintain this number of men—the number voted in the Estimates, and included in the Mutiny Bill—*plus* the number serving in India, *plus* the number who may have been serving in India, but who are brought out of India to serve anywhere else. That is a sum which does not agree with the sum given by the Under Secretary of State for India, and I venture to think that my way of putting it is more accurate than his. We have been told that there is no necessity for any great jealousy of a standing Army in these days. That may be so; but if the House is to relax its jealousy of a standing Army, it ought to be done deliberately and in public. I do not think the people of this country have relaxed their jealousy of a standing Army, whatever the House may have done. I am by no means certain that this House has relaxed its jealousy, and I do not think it ought to do so. It is said that it is absolutely impossible that our liberties in these days can be menaced by a standing Army. I do not know that, Sir. In the recollection of all of us we have seen countries in which liberties have been lost through the influence of standing Armies; and we hear from time to time that our Army is not a large one compared with the resources of the country. We have also heard great complaints of the small number of our soldiers; and there is a proposal for something very much resembling universal conscription. Who knows, but that under some fancy or some desire to take a more prominent part in the conflicts of Europe, our standing Army may not be increased? How is it possible to foretell that under no circumstances a standing Army may not encroach upon the Privileges of Parliament. If it be true that there is less reason now to fear that a standing Army will conflict with the liberties of the country than there used to be, there seems to be one danger far greater than it was 200 years ago. No doubt, as we are told, the Crown has, and always had, the power of making war, but it has it far more completely and absolutely now than it ever had it at any previous period. Formerly wars were conducted on a comparatively small scale, and with comparatively a great expenditure of time. Government did not want large Forces of men then, nor large pecuniary resources. Preparations had to be made long before hand, and after they had been made and the Expedition sent out —things not being conducted on the scale of modern wars — both Armies went into winter quarters; and there was plenty of time to consider, and perhaps to give up the war. But now, with the great Armies and great resources at the disposal of our Government, and telegraphic communications all over the world, the Government may give an order which, within a week, may make a great war absolutely inevitable—a war over which Parliament can have no control whatever. It is useless to tell us we have a control over the proceedings of Government by our privilege of voting Supplies. We know, in this instance, what that privilege of voting Supplies means. It would be utterly impossible —however much Parliament might desire it—for it to refuse to vote the expense of the 7,000 troops coming to Malta. A Government may give orders, which will make inevitable a war in more than one quarter of the globe, over which it would be impossible for Parliament to exercise any control where it has once broken out. Sir, I maintain that the powers of the Government for making war are far greater than they have been at any previous period. I believe the precautions and restrictions which Parliament has always thought it necessary to take against the existence of a standing Army should not be relaxed, but rather strengthened. Repeating again, that the action of the Government, supported by the reasons that they have given, does tend to relax these restrictions, which, I maintain, ought to be strengthened, I still prefer the Resolution I moved to the Amendment which has been proposed by the Government.

Mr. O'DONNELL could not support the action of the Government, since it had been defended on absolutist principles. From what had been said by the Government, it seemed that their main reason for the course they had taken was the necessity of maintaining secrecy. That was the necessity of maintaining secrecy towards the Imperial Parliament, but not to anyone else. He knew that long before the news had reached this country—before even that a definite order for the despatch of the Indian troops to Malta had left the Goverment at home—the measure had been discussed and criticized openly in India; long before the 15th of last month, the removal of the troops to Malta was already common talk in India. At that time, colonels were trying the state of feeling in their regiments with regard to their willingness to embark on an

European enterprize. He was perfectly sure that what had been kept secret from Parliament was no secret at all, and was well known to the Cabinet of St. Petersburgh. The only quarter in which the Government were able to maintain secrecy was the quarter in which their maintaining it was the most indefensible—namely, in respect of the Imperial Parliament. He maintained there was involved in this matter a very important principle beyond the mere question of the justice of the expenditure incurred in the matter. By the action of the Government, in keeping secrecy as to its intentions with them until it had carried them out, the House had been deprived of an opportunity of considering beforehand what would be the effect of the measure upon the domestic conduct and upon the future policy of India. It could not be denied that the House had been deprived of the opportunity of discussing the propriety of calling upon Indian mercenaries—engaged to maintain in India the defence of that Empire—of calling upon them to take part in an European war. The most disastrous administration was being carried on in India by imposing a vexatious taxation upon the country against its protests, till it amounted to financial oppression. It could not be denied that this House had a right to consider the whole bearing of this demand upon the military resources of India. What was the example now being held out to our Indian fellow-subjects? The worst of the Natives of India were induced by prospects of gain to leave their country, while the industrious taxpayers of the country were as far off as ever of receiving protection of Her Majesty's Government. He heartily and entirely concurred in the sentiments of the hon. and gallant Member for Galway (Major Nolan). The Irish Members had a double interest in resisting the advance of absolutist principles; for, if the British Constitution should be worsened, it must be taken for certain that the Irish would get the worst of the worsening. After taking the step of removing the Indian troops without consulting that House, the Government came forward and pretended to be acting for the benefit of the Constitution, even while advancing such exaggerated views of the Royal Prerogative. He trusted, that in years to come, it would not be found that the voluntary champions of an exaggerated Prerogative—the champions of that Party whose views were to be read in a recent article in *The Quarterly Review*—had injured that Prerogative, and lessened the respect in which it ought to be held.

Question put.

The House *divided*:—Ayes 226; Noes 347: Majority 121.

AYES.

Acland, Sir T. D.
Allen, W. S.
Amory, Sir J. H.
Anderson, G.
Anstruther, Sir R.
Ashley, hon. E. M.
Backhouse, E.
Barclay, A. C.
Barclay, J. W.
Barran, J.
Bass, A.
Bass, H.
Baxter, rt. hn. W. E.
Bazley, Sir T.
Beaumont, Colonel F.
Bell, I. L.
Biddulph, M.
Blake, T.
Blennerhassett, R. P.
Brassey, H. A.
Brassey, T.
Briggs, W. E.
Bright, J. (Manchester)
Bristowe, S. B.
Brogden, A.
Brooks, M.
Brown, A. H.
Brown, J. C.
Bruce, Lord C.
Burt, T.
Cameron, C.
Campbell, Sir G.
Campbell-Bannerman, H.
Carington, hn. Col. W.
Cave, T.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chadwick, D.
Chamberlain, J.
Chambers, Sir T.
Childers, rt. hon. H.
Cholmeley, Sir H.
Clarke, J. C.
Clifford, C. C.
Clive, G.
Cogan, rt. hn. W. H. F.
Cole, H. T.
Colebrooke, Sir T. E.
Collins, E.
Colman, J. J.
Conyngham, Lord F.
Corbett, J.
Cotes, C. C.
Courtney, L. H.
Cowan, J.
Cowper, hon. H. F.
Cross, J. K.
Davie, Sir H. R. F.
Davies, R.
Delahunty, J.
Dickson, T. A.
Dilke, Sir C. W.
Dillwyn, L. L.
Dodds, J.
Dodson, rt. hon. J. G.
Downing, M'C.
Duff, M. E. G.
Duff, R. W.
Dundas, J. C.
Earp, T.
Edwards, H.
Egerton, Admiral hn. F.
Ellice, E.
Errington, G.
Evans, T. W.
Eyton, P. E.
Fawcett, H.
Ferguson, R.
Fitzmaurice, Lord E.
Fletcher, I.
Foljambe, F. J. S.
Forster, Sir C.
Forster, rt. hon. W. E.
Fothergill, R.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldsmid, Sir J.
Gordon, Lord D.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Grant, A.
Grey, Earl de
Grosvenor, Lord R.
Hankey, T.
Harcourt, Sir W. V.
Harrison, C.
Harrison, J. F.
Hartington, Marq. of
Havelock, Sir H.
Hayter, A. D.
Henry, M.
Herschell, F.
Hibbert, J. T.
Hill, T. R.
Holland, S.
Holms, J.
Holms, W.
Hopwood, C. H.
Howard, hon. C.
Howard, E. S.
Hughes, W. B.
Hutchinson, J. D.

Ingram, W. J.
Jackson, Sir H. M.
James, W. H.
James, Sir H.
Jenkins, D. J.
Jenkins, E.
Johnstone, Sir H.
Kay-Shuttleworth, Sir U.
Kingscote, Colonel
Knatchbull-Hugessen, rt. hon. E.
Laing, S.
Law, rt. hon. H.
Lawrence, Sir J. C.
Leatham, E. A.
Leeman, G.
Lefevre, G. J. S.
Leith, J. F.
Lloyd, M.
Lowe, rt. hon. R.
Lubbock, Sir J.
Lush, Dr.
Lusk, Sir A.
Macdonald, A.
Macduff, Viscount
Mackintosh, C. F.
M'Arthur, A.
M'Arthur, W.
M'Lagan, P.
M'Laren, D.
Maitland, J.
Marjoribanks, Sir D. C.
Marling, S. S.
Massey, rt. hon. W. N.
Matheson, A.
Meldon, C. H.
Middleton, Sir A. E.
Milbank, F. A.
Monk, C. J.
Morgan, G. O.
Morley, S.
Mundella, A. J.
Muntz, P. H.
Murphy, N. D.
Newdegate, C. N.
Noel, E.
Nolan, Major
Norwood, C. M.
O'Brien, Sir P.
O'Conor, D. M.
O'Conor Don, The
O'Donnell, F. H.
O'Shaughnessy, R.
O'Sullivan, W. H.
Palmer, C. M.
Palmer, G.
Parker, C. S.
Pease, J. W.
Peel, A. W.
Pender, J.
Pennington, F.
Perkins, Sir F.
Philips, R. N.
Playfair, rt. hon. L.
Plimsoll, S.
Portman, hon. W. H. B.
Potter, T. B.
Power, J. O'C.
Price, W. E.
Ralli, P.
Ramsay, J.
Rathbone, W.
Reed, E. J.
Richard, H.
Robertson, H.
Russell, Lord A.
Rylands, P.
St. Aubyn, Sir J.
Samuelson, B.
Samuelson, H.
Seely, C.
Sheridan, H. B.
Simon, Mr. Serjeant
Sinclair, Sir J. G. T.
Smith, E.
Smyth, P. J.
Smyth, R.
Stansfeld, rt. hon. J.
Stanton, A. J.
Stevenson, J. C.
Stewart, J.
Stuart, Colonel
Sullivan, A. M.
Swanston, A.
Tavistock, Marquess of
Taylor, D.
Taylor, P. A.
Temple, right hon. W. Cowper-
Tracy, hon. F. S. A. Hanbury-
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Vivian, A. P.
Vivian, H. H.
Waddy, S. D.
Waterlow, Sir S. H.
Weguelin, T. M.
Whalley, G. H.
Whitbread, S.
Whitwell, J.
Williams, B. T.
Williams, W.
Wilson, C.
Wilson, Sir M.
Young, A. W.

TELLERS.

Adam, rt. hn. W. P.
Kensington, Lord

NOES.

Agnew, R. V.
Alexander, Colonel
Allcroft, J. D.
Allen, Major
Allsopp, C.
Allsopp, H.
Anstruther, Sir W.
Arbuthnot, Lt.-Col. G.
Archdale, W. H.
Arkwright, A. P.
Arkwright, F.
Ashbury, J. L.
Assheton, R.
Astley, Sir J. D.
Bagge, Sir W.
Bailey, Sir J. R.
Balfour, A. J.
Baring, T. C.
Barne, F. St. J. N.
Barrington, Viscount
Barttelot, Sir W. B.
Bates, E.
Bateson, Sir T.
Beach, rt. hon. Sir M. H.
Beach, W. W. B.
Bective, Earl of
Benett-Stanford, V. F.
Bentinck, rt. hon. G. C.
Bentinck, G. W. P.
Beresford, Lord C.
Beresford, G. De la P.
Birley, H.
Blackburne, Col. J. I.
Boord, T. W.
Bourke, hon. R.
Bourne, Colonel
Bousfield, Colonel
Bowen, J. B.
Bowyer, Sir G.
Brady, J.
Brise, Colonel R.
Broadley, W. H. H.
Brooks, W. C.
Bruce, hon. T.
Bruen, H.
Brymer, W. E.
Bulwer, J. R.
Burghley, Lord
Burrell, Sir W. W.
Buxton, Sir R. J.
Cameron, D.
Campbell, C.
Cartwright, F.
Castlereagh, Viscount
Cave, rt. hon. S.
Cecil, Lord E. H. B. G.
Chaine, J.
Chaplin, Colonel E.
Chaplin, H.
Charley, W. T.
Christie, W. L.
Churchill, Lord R.
Clive, Col. hon. G. W.
Close, M. C.
Clowes, S. W.
Cobbold, T. C.
Cochrane, A. D. W. R. B.
Cole, Col. hon. H. A.
Coope, O. E.
Cordes, T.
Corry, hon. H. W. L.
Corry, J. P.
Cotton, W. J. R.
Crichton, Viscount
Cross, rt. hon. R. A.
Cubitt, G.
Cuninghame, Sir W.
Cust, H. C.
Dalkeith, Earl of
Dalrymple, C.
Davenport, W. B.
Deedes, W.
Denison, C. B.
Denison, W. B.
Denison, W. E.
Dick, F.
Dickson, Major A. G.
Digby, Col. hon. E.
Douglas, Sir G.
Duff, J.
Dyott, Colonel R.
Eaton, H. W.
Edmonstone, Admiral Sir W.
Egerton, hon. A. F.
Egerton, Sir P. G.
Egerton, hon. W.
Elcho, Lord
Elliot, Sir G.
Elliot, G. W.
Elphinstone, Sir J. D. H.
Emlyn, Viscount
Estcourt, G. S.
Ewart, W.
Ewing, A. O.
Fellowes, E.
Fielden, J.
Finch, G. H.
Fitzwilliam, hon. C. W. W.
Floyer, J.
Forester, C. T. W.
Forsyth, W.
Foster, W. H.
Fraser, Sir W. A.
Fremantle, hon. T. F.
French, hon. C.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Gardner, J. T. Agg-
Gardner, R. Richardson-
Garnier, J. C.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Gilpin, Sir R. T.
Goddard, A. L.
Goldney, G.
Gooch, Sir D.
Gordon, W.
Gore-Langton, W. S.
Gorst, J. E.
Goulding, W.
Grantham, W.
Greenall, Sir G.
Greene, E.
Gregory, G. B.
Guinness, Sir A.
Gurney, rt. hon. R.
Hall, A. W.
Halsey, T. F.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, right hon. Lord G.
Hamilton, Marquess of
Hamilton, hon. R. B.
Hamond, C. F.
Hanbury, R. W.
Harcourt, E. W.
Hardcastle, E.
Hardy, hon. A. E.
Hardy, hon. S.
Harvey, Sir R. B.
Hay, rt. hn. Sir J. C. D.
Heath, R.
Helmsley, Viscount
Herbert, H. A.
Herbert, hon. S.
Hermon, E.
Hervey, Lord F.
Heygate, W. U.
Hick, J.

Hildyard, T. B. T.
Hill, A. S.
Hinchingbrook, Visc.
Holford, J. P. G.
Holker, Sir J.
Holland, Sir H. T.
Holmesdale, Viscount
Home, Captain
Hood, Captain hon. A. W. A. N.
Hope, A. J. B. B.
Hubbard, E.
Hubbard, rt. hon. J.
Isaac, S.
Jervis, Colonel
Johnson, J. G.
Johnstone, Sir F.
Jolliffe, hon. S.
Jones, J.
Kennard, Colonel
Kennaway, Sir J. H.
King-Harman, E. R.
Knight, F. W.
Knightley, Sir R.
Knowles, T.
Lacon, Sir E. H. K.
Lawrence, Sir T.
Learmonth, A.
Lechmere, Sir E. A. H.
Lee, Major V.
Legard, Sir C.
Legh, W. J.
Leighton, Sir B.
Leighton, S.
Lennox, Lord H. G.
Leslie, Sir J.
Lewis, C. E.
Lewis, O.
Lewisham, Viscount
Lindsay, Col. R. L.
Lindsay, Lord
Lloyd, S.
Lloyd, T. E.
Lopes, Sir M.
Lorne, Marquess of
Lowther, hon. W.
Lowther, rt. hon. J.
Macartney, J. W. E.
Mac Iver, D.
M'Garel-Hogg, Sir J.
Majendie, L. A.
Makins, Colonel
Malcolm, J. W.
Mandeville, Viscount
March, Earl of
Marten, A. G.
Master, T. W. C.
Mellor, T. W.
Merewether, C. G.
Miles, P. J. W.
Mills, A.
Mills, Sir C. H.
Monckton, F.
Montgomerie, R.
Montgomery, Sir G. G.
Moore, A.
Moore, S.
Moray, Colonel H. D.
Morgan, hon. F.
Morris, G.
Mowbray, rt. hon. J. R.
Mulholland, J.
Muncaster, Lord
Naghten, Lt.-Colonel
Newport, Viscount
Noel, rt, hon. G. J.
North, Colonel
Northcote, rt. hon. Sir S. H.
O'Byrne, W. R.
O'Gorman, P.
O'Leary, W.
O'Neill, hon. E.
Onslow, D.
Paget, R. H.
Palk, Sir L.
Parker, Lt.-Col. W.
Peek, Sir H.
Peel, rt. hon. Sir R.
Pell, A.
Pemberton, E. L.
Pennant, hon. G.
Peploe, Major
Percy, Earl
Phipps, P.
Pim, Captain B.
Plunket, hon. D. R.
Plunkett, hon. R.
Polhill-Turner, Capt.
Powell, W.
Praed, C. T.
Praed, H. B.
Price, Captain
Puleston, J. H.
Raikes, H. C.
Read, C. S.
Rendlesham, Lord
Repton, G. W.
Ridley, Sir M. W.
Ripley, H. W.
Ritchie, C. T.
Rodwell, B. B. H.
Roebuck, J. A.
Rothschild, Sir N.M. de
Round, J.
Russell, Sir C.
Ryder, G. R.
Sackville, S. G. S.
Salt, T.
Samuda, J. D'A.
Sanderson, T. K.
Sandon, Viscount
Sclater-Booth, rt.hn.G.
Scott, Lord H.
Scott, M. D.
Selwin - Ibbetson, Sir H. J.
Severne, J. E.
Shirley, S. E.
Shute, General
Sidebottom, T. H.
Simonds, W. B.
Smith, A.
Smith, F. C.
Smith, S. G.
Smith, rt. hn. W. H.
Smollett, P. B.
Somerset, Lord H. R. C.
Spinks, Mr. Serjeant
Stanhope, hon. E.
Stanhope, W. T. W. S.
Stanley, rt. hn. Col. F.
Starkey, L. R.
Starkie, J. P. C.
Steere, L.
Stewart, M. J.
Storer, G.
Sykes, C.
Talbot, C. R. M.
Talbot, J. G.
Taylor, rt. hon. Col.
Tennant, R.
Thornhill, T.
Thwaites, D.
Thynne, Lord H. F.
Tollemache, hon. W. F.
Torr, J.
Tremayne, J.
Trevor, Lord A. E. Hill-
Turnor, E.
Wait, W. K.
Walker, O. O.
Walker, T. E.
Wallace, Sir R.
Walsh, hon. A.
Walter, J.
Warburton, P. E.
Ward, M. F.
Watkin, A. M.
Watkin, Sir E. W.
Watney, J.
Watson, rt. hon. W.
Welby-Gregory, Sir W.
Wellesley, Colonel
Wells, E.
Wethered, T. O.
Wheelhouse, W. S. J.
Whitelaw, A.
Wilmot, Sir H.
Wilmot, Sir J. E.
Wilson, W.
Wolff, Sir H. D.
Woodd, B. T.
Wroughton, P.
Wyndham, hon. P.
Wynn, Sir W. W.
Wynn, C. W. W.
Yarmouth, Earl of
Yeaman, J.
Yorke, J. R.

TELLERS.
Dyke, Sir W. H.
Winn, R.

Words *added.*

Main Question, as amended, put.

Resolved, That this House, being of opinion that the Constitutional control of Parliament over the raising and employment of the Military Forces of the Crown is fully secured by the provisions of the Law, and by the undoubted power of this House to grant or refuse Supplies, considers it to be unnecessary and inexpedient to affirm any Resolution tending to weaken the hands of Her Majesty's Government in the present state of Foreign affairs.

SUPPLY.

Considered in Committee.

(In the Committee.)

Resolved, That a sum, not exceeding £1,500,000, be granted to Her Majesty, to pay off and discharge Exchequer Bonds that will become due and payable during the year ending on the 31st day of March 1879.

Resolution to be reported *To-morrow;*

Committee to sit again *To-morrow.*

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

(1.) *Resolved,* That, towards raising the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorised to raise any sum of money, not exceeding £1,500,000, by an issue of Exchequer Bonds.

(2.) *Resolved,* That the Principal of all Exchequer Bonds which may be so issued shall be paid off at par, at any period not exceeding three years from the date of such Bonds.

(3.) *Resolved,* That the Interest of such Exchequer Bonds shall be payable half-yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.

(4.) *Resolved*, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1879, the sum of £6,500,000 be granted out of the Consolidated Fund of the United Kingdom.

Resolutions to be reported *To-morrow;*

Committee to sit again *To-morrow.*

House adjourned at a quarter after Three o'clock.

HOUSE OF LORDS,

Friday, 24*th May*, 1878.

MINUTES.]—*Sat First in Parliament*—The Viscount Melville, after the death of his brother; The Lord Grantley, after the death of his great-uncle.

Public Bills—*Second Reading*—Acknowledgment of Deeds by Married Women (Ireland) (87).

Committee—Report—Medical Act, 1858, Amendment (44-90); Elementary Education Provisional Order Confirmation (London) * (67); Elementary Education Provisional Orders Confirmation (Birmingham, &c.) * (68).

Third Reading — Provisional Orders (Ireland) Confirmation (Dungarvan, &c.) * (65); Inclosure Provisional Orders * (64); Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation * (82), and *passed.*

PARLIAMENT—THE WHITSUNTIDE RECESS.

The Earl of BEACONSFIELD said, it might be for the convenience of their Lordships he should announce that for the Whitsun Holidays he would propose the adjournment of the House from the 7th to the 17th June.

MEDICAL ACT, 1858, AMENDMENT BILL—(No. 44.)

(*The Lord President.*)

COMMITTEE.

Moved, "That the House be now put into Committee on the said Bill."

The Duke of RICHMOND and GORDON wished to speak as to the course he proposed to ask the House to take with reference to this Bill. He had put on the Paper one Amendment of some importance, and there were other Amendments which also would require some attention. He therefore thought he should be consulting the convenience of the House if he asked their Lordships to go into Committee *pro formâ* only, in order that the Bill might be re-printed with the proposed Amendments and the discussion taken on a future evening. When introducing the Bill, some time ago, he said he would allow a considerable period to intervene between the second reading and the Committee, because, as the measure affected the Medical Profession and the public in so large a degree, he was anxious that ample time should be given to both to consider the provisions of the Bill, and that he might have the advantage of knowing the opinions formed with respect to them, so that he might put the Bill in as satisfactory and perfect a state as possible. The Medical Profession readily responded to his request. He had had the pleasure of receiving various deputations on the subject, and he had letters from medical men from all parts of the country. Their Lordships would remember that, when asking for leave to bring in the Bill, he expressed his opinion that the best mode of dealing with the question would be to establish a uniform minimum standard of examination for those who sought to enter the Medical Profession, and he expressed his concurrence in the opinion that a Conjoint Examining Board for each part of the United Kingdom was desirable with the view of establishing such a standard. But he also told their Lordships that there was a difficulty in the way of a conjoint scheme, which difficulty was raised chiefly by the Scotch Universities, and consequently that at the time he did not see his way to introducing a clause rendering a Conjoint Board compulsory. But the representations which from time to time had been made to him both before and after the second reading from the several corporate and other bodies interested, made it clear to him that nothing but a conjoint scheme would be satisfactory, and in an endeavour to promote it he ventured on what he thought might be an acceptable compromise. He suggested that it should be made compulsory on all the Medical Corporations of each of the three divisions of the Kingdom to form a conjoint scheme, leaving it to the various Universities to come in if they thought fit. He had had his proposed compromise circulated through the country, and in answer to it he had had representations from various bodies. The various Medical Corporations in England condemned his proposal on the ground that nothing short of a Conjoint Board to include the Universities would be satisfactory. The English Universities took the same view; the representations from Ireland were to the same effect; and from various Medical Societies in the Metropolis, who treated the question in a very impartial manner, he had received representations in the same direction. He was bound to say that the opinion of those various bodies and societies was opposed to his compromise, and he would not be dealing honestly with the House if he did not say that he could not resist the arguments they had brought under his consideration. Desiring to put the Bill into a shape in which it would be of real advantage to the Medical Profession and satisfactory to the whole country, he had reluctantly come to the conclusion that he must ask their Lordships to allow him to amend it so as to make a Conjoint Board for each of the three portions of the United Kingdom compulsory. The chief opposition to such a proposal came from the Universities of Scotland; but he hoped that his endeavours in the way of compromise would show them that he had, as far as possible, deferred to their views. When he found that he could bring no argument against a compulsory joint scheme, he would not be acting honestly if he did not make it a part of the Bill. He hoped, therefore, the Universities of Scotland would appreciate his motives, and see that he was doing what he believed would be best for the Medical Profession and the public generally. With this explanation, he would ask their Lordships to go into Committee *pro formâ*.

VISCOUNT POWERSCOURT begged to congratulate the noble Duke on the conclusion at which he had arrived. He was convinced that only a Conjoint Examining Board for all the three Kingdoms would be satisfactory.

THE MARQUESS OF RIPON said, that having from the first pointed out that a blot in the measure was the absence of the clause, which the Lord President now proposed to introduce, he begged to express his thanks to his noble Friend. He believed that the course proposed by his noble Friend was the most desirable in the interests of the public; and he hoped that the Universities of Scotland would, in the interest of the public, withdraw their opposition to it. But, however that might be, he felt convinced that his noble Friend had adopted the right course.

EARL GRANVILLE also congratulated his noble Friend the Lord President on the change in his determination. Having accompanied a deputation from the University of London to his noble Friend, he could bear testimony to the patient attention with which his noble Friend listened to the representations made to him by that deputation. He believed that the change which his noble Friend proposed to make in the Bill would prove of great advantage to the public and the Medical Profession.

House in Committee accordingly; Bill *reported*, without Amendment; Amendments made: Bill *re-committed* to a Committee of the Whole House, and to be *printed* as amended. (No. 90.)

CRIME IN IRELAND—RETURNS.

QUESTION.

LORD ORANMORE AND BROWNE asked the Lord President of the Council, When the Return as to crime in Ireland, ordered to be made by the House of Lords on the 12th of April last, would be laid upon the Table of the House?

THE DUKE OF RICHMOND AND GORDON said, the Return which was ordered by their Lordships' House was of a very voluminous character, and the materials were very troublesome to collect, and, when collected, required much time to put them in order. He could only say that no loss of time had occurred since the noble Lord moved for the Return, and as soon as it was ready it would be laid on the Table of the House.

ACKNOWLEDGMENT OF DEEDS BY MARRIED WOMEN (IRELAND) BILL.

(*The Earl of Belmore.*)

(NO. 87.) SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF BELMORE, in moving that the Bill be now read the second time, said, the terms of the English and Irish Acts for the Abolition of Fines and Recoveries, with reference to the acknowledgment of deeds by married women were identical. The English and Irish Courts of Common Pleas respectively made Rules, as they were empowered to do by the Acts. These Rules were identical. They made it suffice if one of the Commissioners was a disinterested party. Acting on the faith of the Rules, many deeds had been executed before Commissioners, where one was an interested party. The question arose in England as to whether such an acknowledgment was not invalid, and the Rule itself *ultra vires.* The arguments, &c., were to be found in the Report of the case, In *re*-Ollerton, 15 C.B. Before judgment was given, an English Act was passed to validate such acknowledgments—17 & 18 *Vict.* This Act was never extended to Ireland. The same question had arisen in this country. If the proposed Act were not passed—(1.) A great injustice would be done in the particular instance in which the deed was executed on the faith of the Rule of Court. (2.) There would remain the absurdity of having the law in the two countries different on this important point. (3.) There was no saying how many deeds and titles might depend upon such acknowledgments. He (the Earl of Belmore) need only say, in addition, that this Bill, although introduced by a private Member into the House of Commons, had the cordial approval of Her Majesty's Attorney General for Ireland.

The LORD CHANCELLOR said, he had no objection to the Bill being read a second time, as before the next stage of the Bill was taken he should have an opportunity of examining it. He would not, therefore, oppose the present stage.

Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

House adjourned at a quarter before Six o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 24th May, 1878.

MINUTES.]—Supply—*considered in Committee*—Civil Service Estimates, Class II. *Resolutions* [May 23] *reported.*

Ways and Means—*considered in Committee*—*Resolutions* [May 23] *reported* — Exchequer Bonds (£1,500,000); Consolidated Fund (£6,500,000).

Public Bills—*Ordered*—*First Reading*—Exchequer Bonds (No. 2) * [186]; Consolidated Fund (No. 3) *.

Committee — Sale of Intoxicating Liquors on Sunday (Ireland) [44]—R.P.; Tenant Right (Ireland) * [31]—R.P.

Committee—Report—General Police and Improvement Provisional Order (Paisley) * [170]; Local Government Provisional Orders (Birmingham, &c.) * [165]; Public Health (Scotland) Provisional Order (Lochgelly) * [171].

Considered as amended—Poor Law Amendment Act (1876) Amendment * [134].

Third Reading—Elementary Education Provisional Order Confirmation (Mickleover) * [161]; Local Government Provisional Orders (Droitwich, &c.) * [163]; Gas and Water Orders Confirmation * [153], and *passed.*

QUESTIONS.

NAVY—WRITERS IN THE DOCKYARDS.—QUESTION.

Mr. E. J. REED asked the First Lord of the Admiralty, Whether the arrangements for removing the disabilities of the mechanic writers in Her Majesty's dockyards are yet completed; and, if so, whether they will speedily come into operation?

Mr. W. H. SMITH, in reply, said, that the question had been considered at the Admiralty, and their recommendations upon it were at present before the Treasury, and he had every reason to hope that the change would be carried out shortly.

PARLIAMENT — BUSINESS OF THE HOUSE—THE WHITSUNTIDE RECESS. QUESTION.

Mr. DILLWYN asked Mr. Chancellor of the Exchequer, When it is proposed to adjourn for Whitsuntide, and for how long? He would also like to know, What the course of Government Business would be?

The CHANCELLOR of the EXCHEQUER: Sir, I am afraid that I shall not be able to propose any very lengthened adjournment at Whitsuntide. The state of Business is such as will hardly admit of that. What I propose is, that we should have a Morning Sitting on Friday June 7, and should then rise till the following Thursday. With regard to the course of Business, the principal Business which the Government have to go on with on Government nights will be the Committee of Supply. On Monday, as hon. Gentlemen are aware, we propose to take the Supplementary Estimate for the movement of Indian troops. If there is time on that evening, we shall, of course, go on with the other classes of Supply; and on the Thursday following we should also propose to take Supply. I mentioned the other day that we hoped to fix a Morning Sitting before Whitsuntide for the Scotch Roads and Bridges Bill. I cannot promise next Tuesday for that purpose, because of the engagement we entered into with those hon. Gentlemen who gave up their precedence to enable the debate which concluded last night to proceed; but on the Tuesday following—the 4th of June—we propose that there should be a Morning Sitting for the Scotch Roads and Bridges Bill.

NAVY—H.M.S. "BEAGLE"—JUDICIAL POWERS OF NAVAL COMMANDERS—EXECUTION OF A NATIVE OF TANNA.—QUESTION.

DR. KENEALY asked the First Lord of the Admiralty, If he would explain the reasons of the delay in laying upon the Table of the House the further Papers connected with the execution of Nokwai on board H.M.S. "Beagle" on the 25th of September last, which he promised the House to produce as soon as he had received them?

MR. W. H. SMITH, in reply, said, that further Papers on the subject had been received last week. They were now under the consideration of the Admiralty, and he hoped to be able in a few days to lay them on the Table.

CRIMINAL LAW—CASE OF JOHN HENNAFAN.—QUESTION.

DR. KENEALY asked the Secretary of State for the Home Department, Whether it is true that John Hennafan has been committed to prison by the police magistrate at Wandsworth for three months with hard labour; and, whether he is prepared to remit that sentence?

MR. ASSHETON CROSS, in reply, said, he had no intention of remitting the sentence passed upon the person referred to. He (Mr. Cross) knew nothing about him, except what the magistrate—a person of considerable experience—had told him. He was informed by him that that man had been long an incorrigible rogue and vagabond, who had been repeatedly committed; that eventually he was sent before Quarter Sessions, and received a year's imprisonment; that he was afterwards offered his expenses to enable him to go back to Ireland, but that he refused to go, and continued to lead the life of a rogue and vagabond until he was committed again to gaol.

CRIMINAL LAW—THE REV. MR. DODWELL.—QUESTION.

DR. KENEALY asked the Secretary of State for the Home Department, If he will explain to the House the grounds on which he refuses to release the Reverend Mr. Dodwell, who has been reported to him on high medical authority as being of perfectly sound mind, since the murderer Broomfield has been discharged because he had become sane?

MR. ASSHETON CROSS, in reply, said, that Broadmoor Asylum, so far as insane male persons were concerned, was for those only who had been acquitted on the ground of insanity. That was the present rule. When the Rev. Mr. Dodwell was found to be insane by a verdict of his countrymen, he was sent in the ordinary course to Broadmoor. Some time ago, letters were received at the Home Office from Dr. Wynn and Dr. Forbes Winslow, as to the state of the prisoner. Those letters were sent on the 15th of April to the authorities of Broadmoor, with an intimation that when they were able to report that it would be consistent with the safety both of the public and of the prisoner himself that he should be either absolutely or conditionally discharged, his case would then be considered by the Secretary of State, and not till then. No Report had yet been received.

PARLIAMENT—FRANCHISE OF THE RESERVE MEN.—QUESTION.

MR. ELLIOT asked Mr. Attorney General, Whether the existing Law deprives a man of his Parliamentary or Municipal franchise when he is performing his duty in the Militia or in Reserve

Forces, should his wife or family receive, during such period of service, parochial relief?

THE ATTORNEY GENERAL (Sir JOHN HOLKER): Sir, the existing law deprives a man of the Parliamentary and municipal franchise should his wife or family receive parochial relief. That disqualification is not removed by service in the Militia or Reserve Forces.

MERCHANT SHIPPING—DYNAMITE, &c.

QUESTION.

MR. M'LAGAN asked Mr. Chancellor of the Exchequer, Whether his attention has been directed to a paragraph in the "Liverpool Express" of the 23rd instant, headed "A Customs Blunder," in which it is stated that the bark "Enchanter," chartered with a cargo of salt and dynamite to Halifax, in Canada, was detained in Liverpool by a Government order; if so, whether it is correct that the vessel has been detained by a Government order, and whether a manufacturer of explosives in this country is to be prevented shipping as hitherto his products to his agents for sale in the British Colonies?

SIR HENRY SELWIN-IBBETSON, in reply, said, that if the hon. Gentleman would allow him to do so, he would give him an answer to the Question. His attention had been first called to the subject of the paragraph referred to by seeing the Notice. On inquiry, he found it was a fact that that vessel was detained, as stated in the Question; but the whole subject was under the consideration of the Law Officers of the Crown, and, until he was in possession of their opinions, he could not answer the last part of the Question.

THE MILITARY FORCES OF THE CROWN—THE INDIAN CONTINGENT.

QUESTIONS.

MR. WADDY asked the Under Secretary of State for India, Whether the powers conferred upon Her Majesty by the 57th section of the 21st and 22nd Vic. c. 106, have ever been exercised; and, if so, whether he will give the date of any Order in Council made in pursuance thereof, and cause the same to be printed for the information of the House?

MR. E. STANHOPE: Sir, no Order in Council has been made under the 57th section of the Act, because none has been required. The terms and conditions of service of the Native Forces remain precisely what they were when that Act was passed. All that has been done is this. The Governor General in Council in 1869 slightly altered the language of the form of attestation, so as to bring it into harmony with the public notification of the terms of enlistment and the condition of service relating to the Indian Native troops issued by the Governor General of India in 1856.

MR. FAWCETT asked Mr. Chancellor of the Exchequer, Whether, before any portion of the revenues of India was devoted to defray the expenses of the transport of Indian troops to Malta, the expenditure was sanctioned by the Council of the Secretary of State for India; and, if so, whether he will inform the House on what day this sanction was given?

THE CHANCELLOR OF THE EXCHEQUER: Sir, no portion of the Revenues of India has at any time been devoted to defray the expenses of the transport of Indian troops to Malta, and therefore no such expenditure could be sanctioned by the Council of State for India.

MR. FAWCETT: I beg to give Notice that on Monday, I will ask Mr. Chancellor of the Exchequer a Question to the following effect:—

> "Whether it is not provided, in the 41st section of the Government of India Act, that no grant or appropriation of any of the revenues of India can be allowed without the sanction of a majority of the Council of the Secretary of State, and whether such grant or appropriation must not have been made when the money of India was advanced to defray these expenses?"

MR. CHILDERS: I beg to ask Mr. Chancellor of the Exchequer a Question, of which I have given him private Notice—namely, Whether he has any objection to state to the House now the form of the Vote for the Army Service to be taken on Monday next? Perhaps I may, to save trouble, explain that my object is to ascertain whether the number of men will be stated in that Vote, so that they may appear as having been voted by the House. In further explanation, I may mention, that, according to the Estimate which we have before us, £350,000 is to be voted to meet the additional expenditure for defraying the cost of the transport of Indian troops, and only below, in the explanatory statement, mention is made of 7,000 men. My object is to inquire, Whether these 7,000 men will appear in the Resolution as voted by the House?

THE CHANCELLOR OF THE EXCHEQUER: The right hon. Gentleman only gave me Notice of his Question just now across the Table. I have not the form of the Vote here. I apprehend, however, that the Vote will contain the number of men with respect to which the money is taken.

SIR H. DRUMMOND WOLFF asked the hon. Member for Dundee, If he intends to go on with his Motion respecting the Supplementary Estimate for moving Indian troops?

MR. E. JENKINS, in reply, said, that in view of the fact that his hon. Friend the Member for Hackney (Mr. Fawcett) proposed on the Estimate to raise a question on which he (Mr. Jenkins) thought he was entitled to precedence, he should withdraw his Motion in favour of that of his hon. Friend. This would not, however, prevent the House from discussing the policy and expediency of employing Indian troops in the course of the debate.]

MR. MUNDELLA asked the First Lord of the Admiralty, Whether, for the convenience of the discussion on Monday, he was prepared to furnish a statement of the terms and conditions of the contract entered into for the transport of the Indian troops?

MR. W. H. SMITH: Sir, I am not in a position to furnish this information to the House, inasmuch as the information I have received has only come to hand by telegraph.

MR. MUNDELLA: Will the right hon. Gentleman give us the information he has received by telegraph? ["No, no!"]

PUBLIC BUSINESS—COUNTY COURTS BILL—VALUATION BILL.

QUESTION.

In answer to Mr. J. G. HUBBARD,

MR. SCLATER-BOOTH said, that the adjourned debate on the County Courts Bill would not be resumed without due Notice. With respect to the Valuation Bill, he hoped that an early opportunity might be found for its second reading.

PRISONS ACT, 1877—RULES AS TO DEBTORS.—QUESTION.

MR. E. JENKINS asked the Secretary of State for the Home Department, Whether it is his intention to make some alteration in the rules in regard to imprisoned debtors?

MR. ASSHETON CROSS, in reply, said, that some of the prison rules with respect to debtors had been misinterpreted, and that measures had been taken to make them clearer. They had been generally relaxed, both as regarded the treatment of the debtors themselves, and the admittance of their wives and families to visit them.

ARMY—RIFLED ORDNANCE.

QUESTION.

MAJOR O'BEIRNE asked the Secretary of State for War, Whether it is correct, as stated in a letter published in the "Times" newspaper of the 18th March, 1878, that although £7,000,000 have been expended on experiments and on the present system of rifled ordnance, the inventor of that system has not received any remuneration?

LORD EUSTACE CECIL, in reply, said, that Mr. Padwick, the writer of the letter published in *The Times* on the 18th of March, had frequently set forth his claims to be considered the inventor of the present system of rifled ordnance; but, during the last quarter of a century, no Secretary of State had admitted those claims, and, consequently, he had received no reward.

POOR LAW—REMOVAL OF IRISH PAUPERS—THOMAS JOHNSON.

QUESTION.

MR. R. POWER asked the President of the Local Government Board, If his attention has been called to the deportation of Thomas Johnson, who was, on the 10th instant, removed from Ulverston Workhouse to Waterford, in Ireland; whether the statement be true that the said Johnson resided for 42 years in England, and for eight years was employed at Bedlington, and was in search of work at Ulverston when he sought temporary relief; and, if it was legal to remove him to Ireland; and, if so, can he hold out any hope that the Law may be amended?

MR. SCLATER-BOOTH: Sir, my attention was only called to the subject yesterday by the Question appearing on the Notice Paper. Immediately, I telegraphed to Ulverston, and I have received from the Clerk to the Guardians this morning a statement respecting the case. He says it is true that Thomas Johnson was removed from Ulverston to Waterford, as stated in the hon. Gentleman's Question; that he became chargeable to the Ulverston Union on the 25th of April last, and stated that he was born at Waterford, and did not make any settlement in England during his residence here, although the terms and conditions under which he could have made a settlement were carefully explained to him. I am not informed what length of time he has lived in England, or of his having been employed in Bedlington for eight years; but, if he had been so employed, he would have gained a settlement under the terms of the Act of 1870. Although that was explained to him, he denied that he had made a settlement in England.

IRELAND—THE COLLECTOR OF RATES OFFICE, DUBLIN—THE REPORT.

QUESTION.

MR. M. BROOKS asked a Question, of which he had given private Notice, Whether it was the intention of the Chief Secretary for Ireland to lay on the Table of the House the Report recently published with regard to the maintaining and management of the Collector of Rates Office, Dublin?

MR. J. LOWTHER: The Report is ready, but the evidence is not in print. It will be desirable to defer the presentation of the Report until the evidence can be produced at the same time. I hope it will be produced shortly.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

PROBATE, LEGACY, AND SUCCESSION DUTIES.—RESOLUTION.

MR. J. W. BARCLAY, in rising to call attention to the incidence of the Probate, Legacy, and Succession Duties; and to move—

> "That the present system of taxing the succession to property is unjust, and, in the opinion of this House, ought to be re-adjusted,"

said: I must express my surprise that this subject has not been discussed in this House since 1853. In that year my right hon. Friend the Member for Greenwich (Mr. Gladstone) spoke of the probate duty as one which called for reform, although he was then obliged to postpone its consideration. The noble Lord the present Prime Minister, also, at the same time, spoke of his hope that a measure would be brought forward which might reconcile contending interests, and terminate the system complained of. Under these circumstances, my object is to call attention to some of the anomalies attending the existing system, of which I apprehend many hon. Members are not aware. In speaking of the re-adjustment of these taxes, I do not intend to propose an increase of the taxation of the country; my contention will be that the present taxation should be fairly and equally distributed over all kinds of property, and all classes of the community. But if the Chancellor of the Exchequer desires to increase the Revenue of the country—and I fear, from the policy the Government is pursuing, increased taxation will be necessary—I think I can point out to him that by charging the richer classes the same rates of duty as the poorer have to pay on the smaller estates, and by extending the taxes to all kinds of property alike, he will have an increased fund at his disposal of over £5,000,000 sterling. I do not intend to enter on the history of the various taxes further than necessary to explain, so far as explicable, their anomalies. The probate duty was first introduced many years ago in the form of a uniform stamp of 5*s.* on all estates. After some years, the stamp was increased by charging higher rates on groups of estates of different amounts up to £300, and estates beyond £300 were charged nothing more. The scale was extended from time to time until, in 1815, it reached £1,000,000 sterling, at which it remained until 1859, when it was extended to cover estates of any amount. The first anomaly of the probate duty to which I shall call attention is that this tax is not charged on real estate. An estate of, say, £30,000 in cash, stocks, or even mortgages of real estate, has to pay probate duty; but if, before his death, the deceased had invested the amount in land, the land would not have paid any duty. If even he had directed by his will that the £30,000 was to be invested in an estate of which his successor was to have only a life rent, then the £30,000 in cash would have escaped duty. On the other hand, if the deceased had owned £30,000 in land, and directed the estate to be sold and divided among the legatees, the amount would be chargeable with duty. Then, again, real estate is chargeable with duty when forming part of partnership funds engaged in trade. The share which a deceased partner of a manufactory owns of mills, or bleaching grounds, has to pay the same as personal estate. Money in land, or going into land, pays no duty; but money coming out of land, or in real estate for purposes of trade, has to pay the same as personal property. It is thus evidently nothing inherent in the land itself, no special character it has—because the landed estate of a deceased person sold under his will has to pay duty as well as partnership funds in land—but an arbitrary exemption of the owners of real estate. I do not see any ground why real estate should not be dealt with in the same way as personal estate. There is nothing in the nature of land why it, or its owner, should be exempted from taxation. On the contrary, there seem special reasons that land, which enjoys the exceptional advantage of increasing in value without effort of the owner, and the security of which is guaranteed by the whole national resources, should, instead of being exempted, bear even a higher rate than personal estate. About half-a-century ago, Mr. Gwynne, the then Comptroller of the Duties, expressed his surprise that the probate duty had not been extended to real, as well as personal estate. Mr. M'Culloch, the economist, writing on taxation in 1863, said to exempt land from such duties was plainly an abuse, and he attributed it to the superior influence in the Legislature of the landed gentry. All the arrangements with regard to this tax clearly show that the exemption is intended to fall exclusively on the landed proprietors, and the only explanation seems to be that those who had the principal influence and control in imposing this duty declined to impose it on themselves, or to share that burden of taxation which they were placing upon others. The second anomaly is that the duty is charged at a higher rate on smaller estates than on those of larger amount. A testate estate of £200 is charged £5; and, if intestate, the duty is £8; or 2½ per cent in the one case, and 4 per cent in the other. An estate of £1,000 pays probate duty of 3 per cent or 4½ per cent, according to whether the deceased was testate or intestate; £2,000 pays only 2½ per cent; £3,000, only 2 per cent. If an estate is so large as £30,000, the tax is only 1½ per cent. The effect may be illustrated thus—An estate of £30,000 pays probate duty to the amount of £450; but if, instead of being left in one estate, the same amount had been left in 30 estates of £1,000 each, the probate duty charged, instead of being £450, would have amounted to £900. Thus, the one large estate of £30,000 pays only one-half the rate of the tax levied on 30 estates of £1,000 each. This is altogether against common justice and sound principles of levying taxation. It places the higher rate on the poor, and the lower rate on the rich, instead of levying an equal rate on all, or inclining in the opposite direction, and relieving to some extent from the burden of taxation those least able to bear it. Mr M'Culloch has remarked upon this, that it is impossible to say a word in excuse of a practice of this sort, which is as scandalous as it is unjust. Another anomaly in charging probate duty is, that it is levied on groups of estates between certain amounts, and not by a certain percentage. The first group consists of estates between £100 and £200, and on every estate between these sums the duty is £2 if testate, and £3 if intestate. The stamp advances irregularly by successive steps. For instance, the next group consists of estates between £200 and £300, on which the duty is £5 if testate, and £8 if intestate. Then, on testate estates between £2,000 and £3,000, the duty is £50, or about 2½ per cent on the minimum amount in the group. Now, it is evident that if the £2,000 estate is charged the proper amount of duty, and if a £2,900 estate pays nothing more, the portion over £2,000—namely, £900—goes untaxed.

Going up to the larger amounts, an estate of £34,500 pays no more than one of £30,000—the lowest amount in the group—and so on. On estates of that amount the sum of £4,500 pays no probate duty. We have this striking anomaly—that while you tax estates of so low an amount as £100 and £200, 10 times that amount may pass untaxed on estates of large value. The clear plan that should be adopted in the imposition of this duty is, that, like the legacy duty, it should be levied by a percentage on all estates. Another anomaly is that intestate estates are charged a higher rate than testate estates. I can find no ground why it should be so. If an individual fails to devise his property according to his own desire, and the State steps in and distributes it according to what is supposed to be natural right, there is no reason why the estate should be taxed more highly than when there is a will. This, again, presses very heavily on the smaller estates, for it is the poorer classes, for the most part, who die intestate. The Return, which was made on my Motion last year, shows that about one-third in value of the estate under £300 are intestate; whereas, in estates over £1,000, only one-twelfth are intestate. I will now briefly refer to the legacy duty, in which the anomalies are not so great. That duty is imposed by a percentage on all incomes, and is intended to be levied on the legatees by whom it is payable. In this case, poor and rich pay the same percentage, the difference in the rates depending upon the degree of relationship, and ranging from 1 to 10 per cent. This duty was imposed by Mr. Pitt, in 1780, to provide funds to carry on the war then waging. His proposal to increase the rates in 1796 included real as well as personal property, and both Bills passed the House of Commons; but the Lords rejected the Bill imposing the duty on real property, and passed the other. Nothing corresponding to the legacy duty was imposed on real estate until 1853, when the succession tax was introduced by my right hon. Friend the Member for Greenwich, then Chancellor of the Exchequer. The right hon. Gentleman then intimated his intention of placing the probate duty on a more equitable footing; but the pressure of other matters probably prevented him from dealing with the question. The succession duty is, however, really a very different tax from the legacy duty. By Section 21 of the Succession Duty Act, it is provided that the interest of every successor to real estate shall be considered as only an annuity of the amount of the annual value of the property, and the duty eligible thereon, payable in eight half-yearly instalments. For instance, a son aged 40 years, who succeeds to an estate of £30,000, has to pay succession duty on a sum of about £14,800 only, and on this latter sum the duty amounts to £148. Compare that with the case of a son of the same age inheriting the same sum in stocks or cash. He would, in the first place, have to pay probate duty of £450 if his father died testate, and £675 if he died intestate; then a legacy duty of 1 per cent, amounting to £300. These sums together make £750 if the parent died testate, and £975 if he died intestate; while the inheritor of the same value in land in unfettered fee simple pays only £148. I cannot conceive what excuse can be offered for this anomaly. Let me again compare this charge of £150 on the landed estate of £30,000 with what the poorer classes have to pay. If the land had to pay at the same rate as an insurance policy of, say, £200, which comprises the whole estate of the deceased, instead of paying less than £150, the £30,000 estate would have to pay £1,050 in the case of testacy, and £1,500 in case of intestacy. That is, a small estate of £200 pays, in the one case, 10 times, and in the other, 15 times proportionally higher rates than an estate of £30,000 in land. The general results are these—The probate duty, in the year 1877, amounted to about £2,500,000 and the legacy duty to over £2,750,000—the two sums together, levied exclusively on personal estate, produced £5,100,000. During the same period, succession duty, the only tax paid by real estate, yielded only £849,000. Now, in 1876-7, the total annual value of real estate, by the Income Tax Returns, amounted to £153,475,000; and, if we consider such property worth from 25 to 30 years' purchase, and that the life of a generation is of about the same duration, we come to this—that the total value of the annual succession to real estate must be about £150,000,000 sterling, and, if so, real estate should pay annually duty on that amount. Now, during the same year, the total value of the succession to personal estate was £131,000,000, a considerably smaller amount; but this smaller amount paid probate and legacy duty of over £5,100,000, while real estate paid less than £850,000. It thus appears that real estate—that is, property in land and houses—is exempted to the extent of over £4,000,000 sterling annually, as compared with personal property. Besides the real estates belonging to private individuals, there are the estates in land belonging to corporate authorities, trustees, &c., which are not subject to taxation for either probate or succession duty. The public are beginning to recognize that the funds belonging to corporations are not proper subjects of exemption from fair taxation; and when we consider the use to which a considerable portion of those funds are devoted—as, for instance, in the City of London—there seems very little ground for their exemption. As regards readjustment of these taxes, Mr. M'Culloch in the *Enclyclopædia Britannica*, says—

> "We cannot but think that the mode of charging the duty, as well as the duty itself, should be identical on all sorts of property. This taxation does not yield more than one-fourth or fifth that it would if assessed in the same way as the tax is assessed on personal estate. If the taxation is to be maintained, it ought to be imposed at a uniform rate over all properties."

It is open to consideration whether the smallest class of estates ought not to be exempted. Incomes under £150 are altogether exempted from income tax, and an allowance is made on incomes up to £400; but probate duty is charged on small estates down to £100. I think a succession not exceeding £300 represents as humble a class in the community as £150 of annual income. Estates of under £300 probably go to poor families, and it would be a great relief to them if estates of £300 were altogether exempted from probate duty, not only on account of the duty itself, but in saving the large amount of expense in the administration of small estates. An exemption of estates under £300 would also admit of a great economy in the collection of the tax. The Return of last year shows that more than one-third of the total number of estates on which probate duty was charged was under £300, and that the tax on such estates amounted to less than £48,000. If these small estates were charged 1½ per cent, the same as large estates, the amount derived from them would not exceed £35,000, so that the Chancellor of the Exchequer, in exempting estates under £300, would be making a very small sacrifice indeed. Then the charges on small estates by the various troublesome forms required are very heavy. In the case of a small succession, consisting wholly of a policy of £100, the recipient, who was a son, had to pay charges at Somerset House to the amount of nearly £5. Considering the forms necessary, and the legal assistance required, I fear the charges on small estates, including duty, amount, in many cases, to well on to 10 per cent before the money gets into the hands of the successor. This is a serious matter, and occasions a great deal of heart-burning and bitterness throughout the humbler classes of the community. I have refrained from comment upon those extraordinary anomalies, as comment appeared to be unnecessary. But, in considering this subject, there recurs forcibly to my mind an objection urged against an extension of the franchise—that a great danger would arise in extending the representation to the poorer classes, because they would probably impose taxes unjustly, unfairly, and dishonestly on the rich. It is not open to me to discuss this objection at present; and I will only say that such an objection comes with very bad grace from Gentlemen who all these many years never raised their voice against a system of taxation so indefensibly unjust and one-sided as this of the probate and succession duties — which dishonestly taxes the estate of the poor man at a higher rate than that of the rich, and reduces the small provision for the orphan by the probate duty, while it allows the large landed estate of the wealthy landholder to go free. I thank the House for the attention they have given me, and beg to move the Resolution of which I have given Notice.

MR. BAXTER said, he only rose to express the hope that the Chancellor of the Exchequer or the Secretary to the Treasury, before the discussion closed, would, at all events, tell the House that they were favourably disposed towards the view of his hon. Friend the Member for Forfarshire (Mr. Barclay). He (Mr. Baxter) had never heard our system of succession duties adequately defended in that House or out of it, and he felt tolerably satisfied that the system admitted of no adequate defence. Just let them take the incidence of the probate duty. Why should probate duty be levied at a higher scale upon a small sum than upon a large one? Why should territorial estates—why should landed property—go scot free, while personal estates of the same amount were taxed? Why should premises employed in trade be taxed, while land and buildings not so employed were exempted? He must say that all those were things that passed his comprehension. Surely, there was a *primâ facie* case made out in favour of all kinds of property being taxed in the same way. He believed that if they were to tax real property in the same proportion as personal property, it would yield to the Public Exchequer three times the sum that it now did. That was a consideration which ought to weigh with the Chancellor of the Exchequer as guardian of the public purse. He would, without entering into the details of the question, simply appeal to the Chancellor of the Exchequer to pluck up his courage, and put an end to the present anomalous state of things. By doing so, he would do an act of justice, would greatly benefit the finances of the country, and would take a course commending itself to the good sense of the nation.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the present system of taxing the succession to property is partial and unjust, and, in the opinion of this House, ought to be re-adjusted,"—(*Mr. James Barclay,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. GREGORY said, he agreed with the hon. Gentleman opposite (Mr. Barclay), that there were several anomalies in the present mode of levying the succession duty, as contradistinguished from the probate duty, which it was desirable should be removed, and he did not see why all estates should not be treated on the footing of an equal percentage. But the principal object of the hon. Gentleman's Motion was the imposition of the probate duty upon landed property, and, with respect to that, he (Mr. Gregory) wished to point out that the hon. Gentleman had left out of his calculation the land tax, which was about £1,000,000 a-year. There was also the land tax which had been redeemed, which, he believed, was about another £1,000,000 a-year. Moreover, a stamp duty of, he thought, about 10*s.* in every £100 was imposed on every conveyance of land, but a vast amount of personal property was constantly changing hands without paying any tax. Nearly all local rates fell upon the land, and personal property was practically exempt from that taxation. The case of personal property was very different from that of real property, for personal property might be dealt with in various ways by which the State was prevented from realizing taxation on it again. In these circumstances, it would be unfair to charge land upon the same footing in respect of succession as personalty was dealt with, seeing that it contributed more largely than other descriptions of property to the general taxation of the country.

Mr. M'LAREN said, he heartily approved of the views expressed by the hon. Member for Forfar (Mr. J. W. Barclay). The hon. Member had opened up a large question, and only into one part of it did he (Mr. M'Laren) wish to enter. But he must first call attention to the remarks of the hon. Member for East Sussex (Mr. Gregory), and though he agreed with much that that hon. Member had said, yet he could not but feel that he had fallen into a mistake when, in comparing the burthens imposed upon moveable property with those imposed upon land, he asserted that moveable property — as, for example, railway shares—paid a lower rate of stamp duty on conveyance than was paid on the conveyance of land. The stamp duty upon £1,000, be it in land, or railway, or bank shares, was the same; but take £1,000,000 in railway shares or in bank shares, and then select estates worth £1,000,000 in any part of England—it would be found that men holding the shares paid four times, and perhaps ten times, as much as the holders of the land, because shares were frequently bought and sold as opportunities occurred, and paid the same stamp duty as land on each transfer; and it followed that in the result they really paid far more than land, which seldom changed hands. This was exactly the opposite of the conclusion drawn by the hon. Member for East Sussex. The hon. Member had referred to the land tax as a heavy burthen on land, and as having originally produced £2,000,000, although now only £1,000,000, owing to redemption. It was well known that the land tax when first imposed—nearly two centuries ago—was in lieu of certain feudal and other burthens which land had then to bear. All these old burthens were removed upon the condition that land should for ever pay 4*s.* in the pound upon the real annual value. There was no mention of nominal value. Real value was set down as plainly as the Act could make it. But how did the landowners escape from their engagements and the obligations imposed upon them? They valued the land the year after the Act was passed, and they had never valued it since, so that land now paid upon a valuation made nearly 200 years ago—although they ought to pay 4*s.* on the present real value, according to the bargain made with them when the feudal burdens were abolished. If this bargain were honestly carried out, few other taxes would be required. The analogy which the hon. Member for East Sussex endeavoured to show between bills of exchange stamps, and stamp duties on land, did not exist; for a bill of exchange was really only a convenient way of deferring the payment of a debt owed from one man to another. The one thing desirable in relation to the probate duty was equalization. Take an illustration. A man having saved £1,000, leaves it by will to his son or daughter—all, perhaps, he has in the world. The probate duty has to be paid, and the deputy of the Chancellor of the Exchequer goes to the party inheriting the money, and out of every 33 sovereigns upon the table insists upon picking up one. On the other hand, a wealthy man dies, leaving £30,000 to his heir, and what happens? The deputy of the Chancellor of the Exchequer, instead of £1 in every £33, claims only £1 in every £66. Could that be fair, and was there any justice, or even common sense, in such an arrangement? Suppose the man with the £1,000 complained, and asked how that could be defended, what answer could be given? Only this—the man who paid £1 in £66 was a rich man; rich men made the law, and in framing the law adjusted it so as to suit themselves. He appealed to the Chancellor of the Exchequer, not asking him to raise the one rate or to reduce the other, but to strike a fair medium, and make each class pay the same percentage; so that the same amount would in this way be raised, and there would be no complaints of the Revenue being injuriously affected. With respect to the succession duty imposed on land in 1853, it was expected to produce above £2,000,000, but had never reached one-half of that amount; and, surely, that showed that the object with which the tax was imposed had not been realized, and that the rate ought now to be increased. Under the circumstances, he thought it a fair demand to ask for an equalization of the probate and legacy duties. If the Government were not prepared to reduce the higher duty to the lower, then let both be placed upon the same footing. Let each pay £1 in £45, or such other figure as, in a couple of hours, an accountant could adjust easily as producing a Revenue equal in amount to the present system. He cordially supported the Motion.

MR. J. G. HUBBARD thought the House was greatly indebted to the hon. Member for Forfarshire (Mr. Barclay) for the clear and able manner in which he had brought forward that important subject. As to the probate duty, he did not think that anybody would wish to get rid of it, neither was it desirable to limit its operation merely to higher sums. It answered an essential purpose, forming, as it did, a title to the property to be administered; and there was nothing unjust in a poor man having to pay for his probate according to the value of the property which he obtained. He concurred in the demand made by the hon. Member for the equalization of the probate duty through a fixed percentage. The numerous interesting points that presented themselves in connection with the discussion of this question showed that taxation was in a chaotic state, and that it required to be overhauled. He desired to impress upon the Government that they should never allow a tax to exist on false principles. A tax which was a charge upon property only at death was a very imperfect tax, and far inferior to a charge on the annual value of property. He trusted the Chancellor of the Exchequer would give his favourable attention to the subject whenever the finance of the succession and probate duty came before him.

SIR HENRY SELWIN-IBBETSON said, that the inducement thrown out by the hon. Member for Forfarshire (Mr. Barclay), that such a re-adjustment of these duties as he recommended would give an increase of £4,000,000 to the Revenue, would naturally recommend itself to one in the position which he had the honour to hold. But the proposal before the House went very far. The hon. Gentleman stated that the probate and succession duties ought to be re-adjusted, that the exemption of real property from probate duty ought not to be maintained, and that the succession duty was not a fair one. But it had been argued before the House, by persons of very great authority, that there was a substantial difference between real and personal property, and therefore that there ought to be a difference in the duties charged upon them. That was argued by the right hon. Gentleman the Member for Greenwich when he introduced the present measure, and the right hon. Gentleman had never since expressed any different opinion in reference to this question. The right hon. Gentleman the Member for the University of London had tried to re-adjust those duties, but the attempt had not met with a success which should encourage others to follow his example, for he withdrew his proposal. In considering the question, they must bear in mind the local burdens which were a direct charge on real property, and which handicapped it as against personal property. These local burdens and charges formed one of the principal reasons why real property was not taxed the same as personal property, which did not bear the same burdens, and the right hon. Member for Greenwich had said that the charges upon real property made an imposition of this kind impossible. Another point raised in the Resolution was the difference of the amount raised upon small and large properties. There was no doubt that the amount levied upon smaller properties was a heavy one, and that it was one which required consideration; but it was a subject surrounded with difficulties, and he ventured to think it could not be dealt with hurriedly by a Resolution of the kind before the House. He, therefore, hoped that the House would not agree to the proposal.

Question put.

The House *divided*: — Ayes 150; Noes 107: Majority 43.—(Div. List, No. 146.)

LUNATIC ASYLUMS (IRELAND) — THE GOVERNOR OF LIMERICK ASYLUM.

OBSERVATIONS.

MR. BUTT, who had a Notice on the Paper—

> "To call attention to the Order in Council removing the Mayor of Limerick from the Governorship of the Lunatic Asylum, Limerick;"

and to move—

> "That, in the opinion of this House, it is expedient in Orders in Council appointing Governors of Lunatic Asylums to observe the old practice of appointing the Mayors of cities;"

said, that he did not consider the subject one on which it would be necessary to put the House to the trouble of a division, even if the Rules would have permitted him. It was, however, one in which a great deal of interest was taken in the city he had the honour to represent. It was an illustration of a form of government too common in Ireland, and which was most mischievous. It related to the removal of the mayor and certain members from the places they had long occupied on the Governing Body of the Limerick Lunatic Asylum. In 1821 an Act was passed under which that asylum was constituted; and the then Lord Lieutenant by Order in Council, appointed certain persons to be governors of it; but there were to be four *ex-officio* governors —namely, the Mayor of Limerick, the Recorder of the City, the Bishop of the Established Church, and the Archdeacon, and so things continued till 1876; and then the Irish Church having been disestablished there came forth another Order in Council displacing all *ex-officio* governors, and, consequently, the Mayor of Limerick—and the Mayor of Cork was in the same position—was not allowed to take his seat at the Board of Governors. Even if it were necessary to displace the Bishop and Archdeacon from the governorship of the Limerick

Asylum, because the Church was disestablished, he could not understand why it was necessary to displace the mayor. He considered that in this matter there had been a design to cast an unnecessary and undeserved slur upon municipal authorities and institutions in Ireland. Now, what he would ask of the present Lord Lieutenant, or those who represented him in that House—and he wished to say that he believed the present Lord Lieutenant had a sincere desire to conciliate the people of Ireland—whether something could not be done to remove the impression which prevailed? The Corporations, as the representatives of the people, contributed to the funds necessary for the maintenance of district lunatic asylums; and he saw no reason why the mayors, as the heads of such Corporations, should not be members of the Governing Boards. The principle upon which the government of Ireland had been conducted seemed to be to thwart the proper hopes and aspirations of the Irish people to have a part in the management of their own affairs, and it was this that he wished to see altered. This was a trifling thing, but it should be remembered that the lives of nations, like those of individuals, were made up of little things. From the year 1822, down to that of 1876, there was, in the person of the mayor, a representation of the ratepayers upon the Board of Governors; but under the Order in Council there was none, and he would urge that some independent person should be introduced. Why should they not wait for the passing of the County Government Bill before a matter of this kind took place, it might be urged? but he was unwilling to let matters remain until that measure had passed. If the principle were admitted, why not in the interval remove the evil of which they complained? To the County Boards there would be elected members, and he thought that the Corporations should be allowed to elect members to these Asylum Boards. As the matter stood, the people of Limerick complained that a slight had been thrown upon the office and dignity of the mayor, and upon the municipal authorities; and he hoped that something would be done to replace the mayor in the position which he formerly held on this Board—a position for which he was eminently qualified—and thus remove the stigma which had been cast upon municipal authorities.

MR. J. LOWTHER said, that he must first express, what he felt to be the general feeling which existed in the House, when he stated that he was glad to see the hon. and learned Gentleman once more amongst them; and he was also glad to think that upon the first occasion on which it had fallen to his (Mr. Lowther's) lot to reply officially to any question raised by the hon. and learned Gentleman that the difference between them was not one that would be very marked, or that would be difficult of arrangement. The hon. and learned Gentleman had called attention to an Order in Council under which mayors in Ireland were no longer constituted *ex-officio* governors of the lunatic asylums; but he (Mr. Lowther) would remind the House that in the Grand Jury Bill that question had been dealt with, and, as far as that measure was concerned, he might say, in order to show the spirit in which the Government had approached the subject, that two-thirds of the governors of lunatic asylums were to be elected by Grand Juries, County Boards, and the Corporations which contributed to the maintenance of the district asylums. That provision would sweep away the system under which the Government appointed those governors, and introduce a new one; and, therefore, the Order in Council to which reference had been made would share the same fate. The Government recognized the importance of consulting the opinions of municipalities, and by vesting, as they proposed to do, the election of a considerable number of the Governors in the municipal corporations, they had shown, he thought, that they had respect for municipal institutions. There was a good deal to be said in support of the view taken by the hon. and learned Gentleman; but he had hoped that the matter would be left until they had dealt with the Grand Jury Bill. As far as the Mayor of Limerick was concerned, he (Mr. Lowther) had not the pleasure of knowing anything personally of him, but from what he had heard he had no doubt that he was eminently qualified for the position he held; and if, upon inquiry, he found there was any particular grievance personal to himself in regard to the way in which that had been carried out, he would take an opportunity of consulting with the Lord Lieutenant and endeavour to rectify it. He (Mr. Lowther) regretted that the hon. and learned Gentleman had been away from the House, because his assistance would have been very valuable in expediting the progress of the Grand Jury Bill; but that now he had returned, it was hoped that they would have the advantage of his help. So far as the Government were concerned, they would endeavour to remove any cause of complaint which might be supposed to exist. They certainly had no intention to vex the national spirit; but, on the other hand, every desire to act in a conciliatory spirit, with a view to the removal of any real grievance.

Mr. O'SHAUGHNESSY congratulated the right hon. Gentleman the Chief Secretary for Ireland on the manner in which he had met his hon. and learned Friend (Mr. Butt), and trusted it would form a precedent which he would follow in the conduct of the business of the important Office he held. He had to complain of the Order in Council, that it seemed to have been framed in a most bungling manner by some under official, who, having been credited with a discretion he never possessed, had naturally fallen into error in performing the duty.

Mr. MURPHY trusted that the right hon. Gentleman would consider the precisely analogous case of the Mayor of Cork, and that in a like case a like rule would be adopted. Until the recent change in the Privy Council rates the Mayor of Cork was invariably an *ex-officio* Governor, and as the Corporation of Cork had since the erection of the Asylum been regularly paying a considerable portion of the cost, they always had, and very properly, a representative on the Board. There ought to be no great difficulty in framing new rules for the object now required, and, if necessary, amending the existing Act, so as to confer power on the Lord Lieutenant to appoint some members of the Corporation as Governors, not for life, but during their term of office as town councillors.

PARLIAMENT — PRIVILEGES OF MEMBERS.—OBSERVATIONS.

Dr. KENEALY said, he had to call attention to the Motion which stood in his name—namely—

> "That it is a high Breach of the Privileges of this House to obstruct the freedom and independence of Members of Parliament in putting questions to Ministers, upon their responsibility as representatives of the people, and in the discharge of their public duty, such questions being framed in decorous language, and having for their object to elicit information on matters of public interest."

This was a matter, as it seemed to him, of the first importance, affecting, as it did, the Privileges of the Members of that House and so of their constituents, and the rights of the nation. He would briefly state the circumstances out of which his complaint arose. Some time in August, 1875, he put a Question to the right hon. Gentleman (Mr. Assheton Cross) with reference to one Mina Jury, one of the most important witnesses examined at the trial of the Tichborne Claimant. This Mina passed then as a very respectable witness, and was treated by the Judges with marked distinction. Her testimony had a powerful influence in deciding the case. After the conviction of that unfortunate man, it was discovered that Mina had been convicted of felony, under the name of Mercivina Caulfield, at Dublin, in 1847, and sentenced to be transported for seven years. She had come to this country under an entirely different name, and, after the trial at Bar, she was again tried for several felonies, and a second time sentenced to penal servitude for seven years. It was therefore thought advisable that the attention of the Crown should be drawn to the fact that one of the most important witnesses on whom the prosecution relied had been a convicted felon. He therefore asked the Home Secretary whether the Mina Jury produced at the trial was the same person who had been convicted in 1847? and the right hon. Gentleman, with much emphasis and earnestness, assured him that she was not—an answer which drew down upon him (Dr. Kenealy) at the time much laughter and many sneers, which he bore with as much patience and philosophy as he could, as, indeed, he was obliged to bear many things. Some time afterwards, it appeared on the trial of the detectives, that special inquiries had been previously made into this matter; and that the antecedents of Mina Jury had been ascertained at Scotland Yard. In the month of September last, it was proved by Superintendent Williamson, at the

Old Bailey, that it had been discovered that Mina Jury and Mercivina Caulfield were one and the same person. Under these circumstances, he should have thought that the Home Secretary would have been only too anxious to explain to the House that he had been unconsciously led to make a statement in his place in Parliament which turned out to be incorrect, and that he would have seized the first opportunity to do so when Parliament was called together. This he was bound to do, not only for his own sake, but for the sake of the Cabinet, and for that of the House of Commons itself, as it was no slight matter to mislead or misinform hon. Members upon such a question as that of the administration of justice. He (Dr. Kenealy) waited for this act during January and February and March; and, finding that the Home Secretary remained silent, in April he gave public Notice of the following Question to the Home Secretary:—

"Whether he will state to the House on whose authority he denied in his place in Parliament, on the 3rd of August, 1875, that Mina Jury, a witness against the defendant in the Tichborne case, and who is now in penal servitude for several robberies, was the same person as Mercivina Caulfield, who was sentenced to seven years' transportation for robbery in Dublin, in 1847; whether he does not know that it was proved at the trial of the detectives at the Old Bailey in September last, by Superintendent Williamson of Scotland Yard, that Mercivina Caulfield and Mina Jury were one and the same person, and that she had been convicted in Dublin as alleged; whether the person who gave him the false information by which Parliament was misled is still in the service of the Government, or receiving a pension; and, if he will state why he did not inform Parliament of the facts as soon as he became aware of them?"

Had there been any objection to the form of this Question, he would have thought that the proper time to raise that objection was when he gave Notice of it to the House, so that he might have an opportunity of amending any fault that might be shown. But that was not done. Early next morning, he received the following letter:—

"House of Commons, April 4th.

"Dear Sir,—By the Speaker's order, I have not put your Question on the Paper, as it purports rather to impugn the accuracy of certain information conveyed to the House than to seek information from the Government. The matter is, therefore, not properly the subject of a Question; but no doubt you might bring the matter forward on a Motion.—Yours faithfully,

"ARCHIBALD MILMAN.

"To Dr. Kenealy, M.P."

To this he immediately replied—

"Stoke House, Tavistock Square,
"April 5th, 1878.

"Sir,—I have had the honour to receive an intimation from Mr. Milman, one of the assistant clerks of the House of Commons, that you have ordered my Question to Mr. Cross not to be put on the Paper. With all submission, I think that the Question ought to be there, and I shall this day put the Question to Mr. Cross, in order that the matter may be fully discussed, either as a Breach of Privilege or an Adjournment of the House, which I shall move, if requisite.—I have the honour to be, Sir, your most obedient Servant,

"E. V. KENEALY."

He wrote also to the Home Secretary thus—

"April 5th, 1878.

"Sir,—The Speaker having refused to put upon the Paper the Question of which I gave you public Notice last evening in the House of Commons, relative to the false information given to the House as to Mina Jury, I have informed the Speaker that I shall put the Question to you to-day, so that the Speaker's refusal may be discussed.—I am, Sir, your obedient Servant,

"E. V. KENEALY."

He could assure the House that in framing his Question as he did, he had no desire to violate any Rule. He thought at the time, and he thought still, that he had not done so, and that the Question was right and proper. After writing to the Speaker, he had carefully considered the Question of which he had given Notice; but, as it had been objected to by high authority, and as he had no desire for discussions, dissensions, or fights, he framed his Question anew, as follows:—

"On whose authority he (the Home Secretary) stated in his place in Parliament, on the 3rd of August, 1875, that Mina Jury, a witness against the defendant in the Tichborne case, and who is now in penal servitude for several robberies, was not the same person as Mercivina Caulfield, who was sentenced to seven years' transportation for robbery in Dublin in 1847; and whether the person who gave him the information is still in the service of the Government or receiving a pension; whether it was proved at the trial of the detectives at the Old Bailey in September last, by Superintendent Williamson, of Scotland Yard, that Mercivina Caulfield and Mina Jury were one and the same person, and that she had been so convicted in Dublin as alleged?"

This, he submitted, as a Question was

wholly faultless, and he would be glad if anyone could point out to him a blot in either of the two. He challenged information and instruction upon the point, and he hoped he should receive both. He put the Question accordingly, but the right hon. Gentleman did not answer it. The Speaker, however, rose and declared that he had already intimated that the former Question was wrong, and that, in some particulars —not stated—this Question also was informal. He (Dr. Kenealy), nevertheless, considered that the Question was formal, and ought to have been answered. It contained no imputation on any Member of the Government—even if it had, it should have been replied to. He had yet to learn where it was laid down, except in Mr. Speaker's letter, that the conduct of a public officer might not be impugned even in a Question. Now, it seemed to him that this was a matter of considerable importance to every hon. Member; for, if the Speaker could prevent a Member putting a Question to a Minister, he might also prevent his entering a Motion, or a Resolution, or even an Amendment to a Bill on the Notice Paper. He did not believe that any such authority existed in the Speaker, and he should be glad if it could be shown that the Speaker's action was in accordance with the custom, law, or constitution of Parliament. The Speaker held a high and dignified Office, but he had no judicial authority whatever in that House. He was simply the mouthpiece of the Members, and he had no right or authority whatever, as far as he (Dr. Kenealy) knew, to take an independent or a judicial part in their proceedings. The Speaker possessed no right to interfere with any Question that was put by a Member to a Minister, unless it trespassed against order, decency, or decorum; and the only jurisdiction to which a Member so transgressing was amenable was to the House itself; but any Question couched in proper language ought to go into the Order Book. He had looked carefully into *May's Parliamentary Practice*, and he could find nothing there to justify the exclusion of Questions by the Speaker. The Speaker himself, he found, might be guilty of a Breach of Privilege, and he had been set right when he was going wrong, as in a remarkable instance, by Sir Robert Peel, on the 9th of March, 1840. [See *May*, 7th ed. pp. 328-9.] In 1621, the Commons, in their protestations, defined their Privileges. They affirmed—

> "That every Member hath freedom from all impeachment, imprisonment, or molestation, other than by censure of the House itself, for or concerning any Bill, speaking, reasoning, or declaring of any matter or matters touching the Parliament, or Parliament business."—[*Ibid.* p. 114.]

Now, he (Dr. Kenealy) contended that by the Speaker excluding his Question, a Breach of Privilege coming under the head of "molestation" had been committed. It was a direct interference with his rights and freedom as a Representative of the people; and he could not submit to it without further instruction. He found it laid down in *Hatsell's Precedents*, vol. ii. p. 239—

> "On the 9th of March, 1620, there is a long debate in which the conduct of the Speaker is very much blamed. 'That he came out of the Chair without consent of the House, &c.' That Mr. Speaker is but a servant to the House, and not a master, nor a master's mate: and that he ought to respect the meanest Member as well as those about the Chair."

This was the law then, and it was the law of Parliament now. Further, he found in the same work, at page 242—

> "Speaker Lenthall, when Charles the First came into the House of Commons, and, having taken the Speaker's Chair, asked him whether any of the five Members, that he came to apprehend, were in the House; whether he saw any of them, and where they were? made this answer—'May it please your Majesty, I have neither eyes to see, nor tongue to speak in this place, but as the House is pleased to direct me; whose servant I am here.'"

And again, as follows:—

> "Serjeant Glanvylle, when he was presented as Speaker to the King for his approbation, on the 15th of April, 1640, says, 'The House of Commons have met together and chosen a Speaker, one of themselves, to be the mouth, indeed the servant of all the rest; to steer watchfully and prudently in all their weighty consultations and debates; to collect, faithfully and readily, the vote and genuine sense of a numerous assembly; to propound the same seasonably, and in apt questions of their final resolutions; and to represent them and their conclusions, their deliberations and petitions upon all urgent occasions with truth, with life, with lustre, and with full advantage to your most excellent Majesty."

These extracts fully prove that the Speaker had certain defined and limited authority; but he was not a magistrate in that House; he was simply a Minister and Officer to carry out the will of the Members; and thus showed he had no rights that appertained to the exclusion of matters introduced by Members, so long as they did not trespass against good taste or decorum. He (Dr. Kenealy) had sought, but could not find, any direct precedent which might serve as a guide in the present discussion. None, as far as he could learn, existed in the Journals of the House of Commons; but he found, in Vol. 31 of the *Parliamentary History*, an account of a debate which took place in the Lords, in the year 1794; and this seemed to be in point here, for there was hardly any difference so far as regarded Parliamentary proceedings between the Speakers of the House of Lords and House of Commons. It appeared, from the Report, that in the April of that year, Lord Stanhope desired to put a Resolution on the Books of the House, but he was not allowed to do so by the Speaker, Lord Loughborough, then Chancellor. Lord Stanhope, as the House knew, was a well-known person in the last century. He was a man of considerable attainments, but as he was an advanced Reformer, and did not swim with the general current, he was regarded as an individual of considerable eccentricity—by some as a madman. He desired on that occasion to place his views on record in the House of Lords, and he accordingly collected together a number of extracts from various writers, which supported some of his political views and utterances. The Speaker prohibited an entry of this Resolution; and this Order of his was challenged by Lord Lauderdale on the 8th of April. This Nobleman was a person of great political and Parliamentary knowledge; he was the friend of Mr. Fox, and was much associated with that statesman; and he had a profound knowledge of our political usages and history. He brought this matter before the House, and he (Dr. Kenealy) hoped to be forgiven, if he quoted one or two passages from his speech on that occasion, as being especially relevant here. Lord Lauderdale (page 198) said—

> "He should quote the Journals of both Houses indiscriminately, to prove that when the Speaker of either had taken improper liberties the circumstance had not passed unnoticed."

He referred the House to the cases of 1629 and 1677; in one, the King sent his commands to the Speaker of the Commons to adjourn the House; and although Sir John Elliott was on his legs, the Speaker said "that he had a command from the King to adjourn, and to put no Question." The next Parliament was in 1640, and on its first meeting, the conduct of the Speaker on the last day of the preceding Parliament was examined, and the House declared that the Speaker having refused to put the Question, as called upon to do at the time, was guilty of a Breach of Privilege. In the case of 1677, the Speaker had been complained of for putting Questions with partiality, and leaning to one side more than another. His Lordship read the speech of Sir Thomas Clarges, who observed—

> "That the Speaker had usurped more of the attention of the House than any other Member, by giving his opinion; but if that opinion were to be considered as the sense of Parliament, and his patter was to supply them with sentiments, there was an end to the Rights and Privileges of the House, for the Speaker could misrepresent to the public the proceedings of its Members, and thus would the idea of representation be destroyed."

The noble Earl reminded their Lordships that they ought to be more particularly jealous of any invasions of their Privileges by the Speaker than the House of Commons, for this essential reason—

> "The Speaker of the House of Commons was the creature of the House, elected by themselves, and sitting in their Chair during their own will and pleasure only; whereas the Speaker of the House of Lords was appointed by the Crown, and ought naturally to be considered as a constant object of jealousy by the House with respect to its Forms and Orders. Mr. Speaker Onslow had expressed his Opinion of the great importance of Parliamentary Forms in terms too strong and decisive to leave a doubt upon the point he was maintaining."

In relation with these precedents from the past, he called attention to one or two observations of Lord Lauderdale in the same speech. Alluding to what had happened on the previous occasion, Lord Lauderdale said—

> "He understood that on that evening a Motion of his noble Friend (Earl Stanhope) had been read to the House by his Lordship, and handed to the Lord Chancellor, who had taken upon himself to leave out a material part. Now he could not conceive upon what authority any Speaker of that House could assume the liberty

> of altering a Motion, unless upon a question of Amendment regularly submitted to their Lordships. The Speaker was the servant of the House, its instrument, and its organ, while officially addressing them from the Woolsack. What the nature of the Motion was, certainly was foreign to the subject of debate. It it were the most absurd that human fancy could suggest it should have been submitted to the House in the precise language of the Mover. If the Motion was unfit for the House to hear, it could have been disposed of by the Previous Question; but the House had not a right, much less had any individual Peer a right, to alter the construction or vary the words of the Motion. If any noble Lord in the heat of the debate should be led into warmth of language or offensive vehemence, the Peer so giving way to his feelings was liable to be called to Order, and to be censured if the occasion appeared to call for censure; but nothing could warrant a sacrifice of the Forms of the House as a punishment. The credit of the House, or of any assembly, depended on a strict adherence to its Forms; and, therefore, he must protest against the proceeding to which he had alluded."

These observations, coming from so eminent an authority, were entitled to weight and would, he hoped, not be without effect. And he hoped he might, without offence, read what Lord Stanhope himself said in that debate—namely, that,

> "Had a Speaker in the House of Commons acted in the manner complained of, he would have had his wig pulled over his ears, and his gown stripped off his shoulders."

In conclusion, he desired to repeat that while he had thought it his duty to bring the subject before the House, he had no feeling in the matter, and he should be quite content with any decision the House might come to upon their own Rights and Privileges as a Representative Assembly of the nation at large.

Mr. SPEAKER: Before the right hon. Gentleman answers the Question of the hon. Member, it is right that I should offer a few words of explanation to the House as to the course which I have thought it my duty to take in this matter. The hon. Gentleman has said that the Speaker of this House is merely the mouthpiece and servant of the House. That observation of the hon. Member is correct. I am merely the mouthpiece and servant of the House, and a very honourable service it is. But I am, at the same time, the Guardian of its Rules and Orders, and there are Rules and Orders laid down by this House applying specially to Questions put before the commencement of Public Business from day to day which I am bound to see enforced, and among those Rules and Orders there is one which declares that no Question is to be offered containing matter of argument or opinion; and the Question proposed by the hon. Member for Stoke appeared to me to be a violation of that Rule, and it was upon that ground that I objected to its being put. It appears to me that the hon. Member is in some confusion as to the distinction between a Question and a Motion. If a Motion is offered by a Member of this House to the House, I should not feel that I was entitled for one moment to oppose the offering of such a Motion to the House, or to alter a single word, provided it was properly and respectfully worded. But as to Questions put before the commencement of Public Business, if these Questions involve matter of argument or opinion, or are otherwise in opposition to the Rules and Orders of the House, I consider it my duty to object to them so proposed; and I trust that, in taking the course I have done, I have fulfilled my duty to this House. I have no desire to oppose, in any way, Questions fairly proposed and offered to the consideration of this House; but when a Question is proposed, which appears to me to be in opposition to the Rules and Orders of this House, I consider it my duty to resist that Question, and I shall continue to act in that course, believing it to be the desire of the House.

The CHANCELLOR of the EXCHEQUER: Sir, I think the occasion is one upon which, though there is no Motion to be put to the House, a few words ought to be said in order to express, as I believe I shall express, the general opinion and sense of the House, that the House reposes entire confidence in your administration of the Rules of the House, and that in this matter, as in other matters generally, we feel we have in you a proper Guardian and a proper Minister to express the sentiments of the House. As regards the question which is immediately before the House, it may be regarded from two points of view. In the first place, there is the question whether you, Sir, have acted in accordance with the feelings and wishes of the House in putting the interpretation you have done upon the Rules which exist with regard to the putting of Questions; and, secondly, there is a word which may with advantage be said upon the practice of putting Questions itself. There is no doubt in the world that the Questions which are submitted to the House are properly revised by the Chair, and that the Speaker fulfils a function it is intended by the House he should fulfil when he revises the Questions, and considers whether they are such as ought to be put in the House consistently with the Rules which the House has laid down, either in writing, or tacitly, or as decided by usage, with regard to such Questions. By one Standing Order—154—it is laid down, that in putting a Question, no argument or opinion is to be offered, nor any fact stated, except so far as may be necessary to explain the Question ; and it is obvious the Rule is a necessary one. because otherwise matters might be put into Questions that would render answers necessary, and thus lead to debates. We know there are methods by which these general discussions can be brought on—as by moving the adjournment of the House—and great irregularities might in that way creep in. We therefore understand that the practice of putting Questions ought to be, and must be, limited to prevent that irregularity ; and we see no way in which that practice can be properly restrained except by trusting to the judgment and discretion of the Speaker. He is able to judge, and he does so with thorough impartiality, whether a Question is of such a character as may be properly put, or whether it is one that exceeds the limits laid down, or intended to be laid down, by the House. I think in the course you have pursued with reference to the Question of the hon. Member for Stoke, you have acted entirely in accordance with the principles upon which the House would desire such a Question to be dealt with ; and, although there can be no doubt whatever that the hon. Member has a perfect right to bring forward such a matter as a Motion, or to put it as a Question on the Motion that you, Sir, do leave the Chair to go into Committee of Supply, yet it would be irregular that such Questions as these should be put at the commencement of Business. The hon. Gentleman is entirely within his right, I imagine, in challenging your judgment and taking the opinion of the House upon the subject, if he pleases; but I feel perfectly certain the House will support the ruling of the Chair upon the matter. I hope the few words that have been said may prevent any misconception upon the subject; and, above all, may make it perfectly clear that, in the event of your decision upon such a point being challenged, you would have the most complete and hearty support of the House.

MR. WHITBREAD said, the hon. Member for Stoke semed to labour under a complete misapprehension as to the distinction between a Question and a Motion, and as to the powers and privileges of Members in relation to Questions and in relation to Motions. The right of putting a Question before the commencement of Public Business was an extremely limited one, and Questions were put rather on sufferance, than as a right of the same character as that of moving a Motion. Indeed, it was probable the oldest Member of the House could remember when Questions were first printed on the Orders, with a view to their being put before the commencement of Business. The right hon. Gentleman the Chancellor of the Exchequer had referred to a Rule which restricted the character of a Question, and he (Mr. Whitbread) would point out that the next Rule imposed corresponding restriction in answering a Question, from which, if it stood by itself, it would follow that there was no right to put a Question which must necessarily lead to debate. He accepted the statement of the hon. Member that he had no intention of imputing any wrong conduct to the Home Secretary; but still, if many Questions of such a character were to be put to Ministers, it would be difficult to find men who would consent to sit on the Ministerial Bench. It was a long Question, and it assumed as facts matters which must have led to debate. More than that, it made a charge against an officer who was not here to defend himself, and the Home Secretary could not have answered the Question without vindicating that officer. Apart from anything else, the Question was of an unusual character, and one which it seemed beyond the right of a Member to put. The hon. Member for Stoke appeared to be under the impression that any Question might be put which did not in its language infringe on order or decorum; but that was quite a misapprehension. He would point out to the hon. Member the known practice of the House, according to which it was a matter of frequent occurrence that Questions proposed to be put by hon. Members were altered, at the discretion of the Chair, before they appeared on the Notice Paper, and in some cases even rejected. Further than that, there were the unwritten rules arising from use and wont, which were even stronger. Certainly, no one could complain of the officers of the House, who always manifested the greatest anxiety to give hon. Members every information as to the Rules and practice of the House. The hon. Member for Stoke was quite right in saying that the authority of the Speaker did not rest on statute. He was the Minister and Servant of the House, and derived his power from moral influence and from the support accorded to him by the House. He trusted and believed that the result of the discussion would be that that power would continue to be exercised as temperately and firmly as before, and that the support of the House would be as cheerfully and loyally given.

SIR GEORGE BOWYER entirely agreed with the hon. Member for Bedford (Mr. Whitbread). He thought the practice of putting Questions had been carried somewhat to excess. It often occupied from three-quarters of an hour to an hour, and, no doubt, impeded Public Business. Sometimes the Questions put were irrelevant, and were only intended to bring hon. Gentlemen's names under notice, by the Questions being inserted in the newspapers, and Ministers were obliged to get up their answers with great care. It was quite necessary that the Speaker should exercise his discretionary power to prevent Questions being put in a form in which they ought not to be asked.

MR. BIGGAR said, he would admit, from personal experience, that Questions had been put in a form in which they ought not to have been put; but he thought it was rather unfortunate that the Question of the hon. Member for Stoke, after it had been altered, had not received a reply from the right hon. Gentleman the Secretary of State for the Home Department. He would suggest the possibility of affording the hon. Member an opportunity of obtaining an answer from the Government.

MR. H. SAMUELSON considered the practice of putting Questions useful and economical of the time of the House. Subjects were often brought forward on Supply, the discussion of which occupied considerable time, which might have been avoided by a Question being put before the commencement of Public Business. He did not believe that Questions were put for the sake of obtaining notice of the Questioners' names by the Press, for that object would be much more easily gained by bringing forward Motions. Twenty or thirty Questions were often answered in an hour, any one of which might give rise to more than an hour's debate if brought on going into Committee of Supply. The Questions to be put were quite sufficiently watched over by those whose duty it was to take care that no improper Questions were put.

MR. ASSHETON CROSS said, he did not rise to take any part in the discussion, but to explain to the hon. Member for Stoke why he had not answered his Question when it was put the second time. The Question did not appear on the Paper in the form in which he could submit it to the gentleman who gave him the information; and if, after the Speaker had ruled that the Question was out of Order, and that it could not be printed in the Order Book, he had replied to it, he should have been guilty of great want of respect to the Speaker, and also to the House itself. He was still in the same position; but, as some imputation might seem to rest on the gentleman concerned in this matter, it was only due to him to state that he believed the information he gave was the only information he possibly could give. He had referred to his own papers—of the date of June, 1875—[DR. KENEALY: No; August, 1875.] Then he was mistaken in the date; and he could only say, if the hon. Member would put down the Question on going into Supply, giving him a day's Notice to enable him to communicate with the gentleman, he would obtain for him the information required, which, he was quite sure, would turn out to be correct.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

Class II.—Salaries and Expenses of Public Departments.

(1.) Motion made, and Question proposed,

> "That a sum, not exceeding £20,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for Her Majesty's Foreign and other Secret Services."

Mr. PARNELL said, he had put on the Paper a Motion to reduce the Vote by £10,000, and he was in some doubt as to whether he ought not to ask the Committee to reject the Vote altogether. Under all the circumstances, however, he thought he might be content with moving that the Vote be reduced by the amount which he had mentioned. It must not be supposed, however, that because he merely moved for the reduction of the Vote, that he in any degree approved the principle of paying Secret Service money. On the contrary, he disapproved altogether of the system, for he greatly doubted whether the Government were justified in such expenditure; and he thought that if Secret Service money were voted, an explanation should be given after it had been expended of the way in which it had been used. As was well known to hon. Members, large sums were voted from year to year for Secret Service, and it was next to impossible to get from the Government of the day any information as to the way in which such money was used. The money was, he supposed, used for the purposes of the Crown both at home and abroad; and, without wishing to pry unduly into the operations of the Government, he thought the Committee had a right to know more than it did of the way in which the money was expended. He did not wish to inquire as to how much money had been expended by the Government in corrupting or attempting to corrupt the servants of the Czar of Russia; nor did he particularly wish to know anything as to the results which had flowed from such expenditure. He would confine himself to the question as it affected home affairs. In Ireland they had had painful experience of the application of Secret Service money in times past, and he had no reason to believe that such money was not now being so expended. In 1867 this fund was applied to the purpose of paying informers in Ireland, whose business it was to look after a secret conspiracy of a very extensive character which existed, or was supposed to exist, in the country. The spies were not only employed for the purpose of detecting persons engaged in the conspiracy, but of inducing them to join it in order that they might afterwards be committed to prison. When a man named Kelly was accused, before a Dublin jury, of the murder of a constable named Talbot, it was proved that Talbot, who was in receipt at the time of Secret Service money, had deliberately entered into the Fenian ranks, had taken the oath of fidelity to the organization, and had himself sworn in a large number of other persons whom he had been able to corrupt, while he was himself in receipt of Government pay. Talbot did not confine himself to this. He went further, and entered upon an extensive system of corruption which it was not easy to characterize. In order to gain the confidence of the poor people by whom he was surrounded, this man Talbot, although he was a Protestant, pretended to be a Roman Catholic, and took the sacrament of the Church at its altars, side by side with the persons to whom he had administered the oath as members of the Fenian conspiracy. If he knew that none of this Secret Service money was being spent in Ireland at the present time, he might, perhaps, have been content to let the Vote pass unchallenged; but it was because he felt certain that the same system was being pursued, that he thought it his duty to protest against the Vote. The consequence of the action taken by Constable Talbot was that he was fired at in the streets of Dublin, and a man named Kelly was arrested on a charge of having fired the shot. Talbot was taken to a hospital, and, after a few days of suffering, died, some said in consequence of the shot, others as the result of unskilful surgical treatment. Kelly was acquitted on the charge of having shot Talbot, but was sentenced to penal servitude for life for shooting at a policeman who arrested, or attempted to arrest, him. In consequence of the use of this money, hundreds of young Irishmen were sworn into the conspiracy, and Talbot was shot as an act of revenge by some member of the Fenian organization. The man Kelly was still in penal servitude on Spike Island, and was an object of great sympathy in Ireland. What he had stated was, he thought, sufficient to show that a horrible chain of misfortune had encircled Ireland in consequence of the expenditure of Secret Service money for the purpose of first corrupting, and then punishing, people for the offences into which they were drawn by emissaries of the Government. For these reasons he begged to move that the Vote be reduced by £10,000.

Motion made and Question proposed,

"That a sum, not exceeding £10,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for Her Majesty's Foreign and other Secret Services."—(*Mr. Parnell.*)

Mr. O'DONNELL seconded the Motion. The House, he said, had a right to further information and guarantees as to the way in which this money was expended. He thought, also, that the House was entitled to some supervision of the expenditure of the money, and in the selection of the agents by whom it was expended. Only a few weeks ago, he received a letter from a gentleman in Ireland who was being persecuted by the police in Ireland, because he happened to be known to certain other Irish gentlemen resident in Paris, who, some years ago, were mixed up in revolutionary movements in Ireland. This gentleman wrote, that although there were no grounds for suspicion, as far as he was concerned, he was continually dogged about by the police, and subjected to all sorts of annoyance and petty persecution. This sort of harassing espionage was the way in which the Secret Service money was spent, and he, therefore, thought that Parliament was entitled to know more about the matter than it did at present. That was the kind of conduct pursued against a rich gentleman, merely because he was suspected of sharing the opinions of some out of his many Irish acquaintances. He (Mr. O'Donnell) thought something ought to be done in the way of providing supervision over the expenditure of Secret Service money. He quite understood that the disposal of such money could not be accounted for publicly, and, of course, he knew all Governments needed an amount for secret purposes. But he thought, at the same time, if there were some means of examining into the expenditure, many objections to the Vote would be removed. The total sum required for Secret Service was £40,000, of which £10,000 was annually charged on the Consolidated Fund. Forty - thousand pounds a-year could be employed over a very wide area, and a large number of agents could be kept by such a sum. Not having been in the House when the hon. Baronet the Secretary to the Treasury was explaining a portion of the Vote, he did not know whether he gave any details of the general heads under which the money was spent. At any rate, he (Mr. O'Donnell) considered, that without infringing secrecy, the Government could afford a little more information as to the general direction of the espionage which they had been bound to employ. Considering this espionage was spread over a comparatively limited portion of the Empire, £40,000 was a large sum to be spent on the Service. If the amount were devoted to the purposes of Indian espionage also, he could understand the demand for £40,000; but the money spent for such duties in India was paid out of the Indian Revenues. Consequently, it came to this—that they had £40,000 a-year spent by a Constitutional, respected, enthusiastically beloved, and admired Government in spying the conduct of British citizens and subjects. The maintenance of such a class of spies was certainly not creditable to a Constitutional and universally beloved Government. The detectives, who might be spoken of as the regular Espionage Department of the administration, were paid out of the Police Fund, and no part of the £40,000 a-year went towards their cost. He, therefore, thought the Committee was entitled to know from the Government what they did with the money, how much they were spending in additional rewards for the discovery of crime, and how much they paid for domestic and foreign espionage. He did not know whether the practice was now recognized in diplomacy of paying for the theft of despatches sent by one Government to another. Such things used to be done; but he was sure the sense of Parliament and of the nation of the present day would decidedly discountenance such an application of public money. He asked for some general description of the agencies which were set on foot by means of this £40,000 a-year Secret Service money. Every Irish Member knew that in Ireland Secret Service money had been used to suborn perjury and reward the basest infamy. The rope had been tied round the necks of innocent persons by means of such money. Again and again it had been the great element of a widespread organization of fraud, false swearing, and utter uncrupulousness, directed against the most noble-minded, though of the poorest, in Ireland. The horrible case of Inspector Talbot had been mentioned that night, and if the Committee were to ransack the annals of the most despotic Government in the world, they could discover nothing more dreadful than the conduct of that man, who was supported during his career of unscrupulous hypocrisy out of the Secret Service Fund which was annually voted by an Assembly of Gentlemen. But that money had not been confined to suborning such wretched instruments of despotism as the miserable Talbot. It had been spent in Ireland in the corruption of the public Press, and it had been employed in that country in maintaining journals hired by the Government to stab the reputation of Irish politicians. The hands of the Representative of Her Majesty—the hands of the Viceroy of Ireland—had been stained by the distribution of money out of this unclean fund. Every Irish Member knew the case of Burch *v.* Clarendon, where the editor of a wretched Dublin print brought an action against Lord Clarendon for a reward due to him, because, in his paper, month after month, and year after year, he slandered, for Vice-Regal—aye, and for Imperial—pay, the purest reputations and noblest characters in the Irish Party. How could Irish Members be expected to let that Vote pass unchallenged when they knew the money had been employed in recent times, and, as far as he (Mr. O'Donnell) could see, was being employed now, in suborning perjury, planning schemes against innocent men, and recruiting the victims of informers amongst the innocent and decent peasantry?

Notice being taken that 40 Members were not present, and the Committee having been counted and 36 Members only being present, Mr. Speaker resumed the Chair and counted the House; and 40 Members being present—

SUPPLY—*further considered* in Committee.

(In the Committee.)

Question again proposed,

"That a sum, not exceeding £10,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for Her Majesty's Foreign and other Secret Services,"—(*Mr. Parnell.*)

MR. O'DONNELL, proceeding, said, the Government owed it to the House and to the Irish people, who had suffered much from the employment of Secret Service money, to give some general indication of the manner in which it was spent. He wished to know if pensions to former informers were paid out of the fund? If that were the case, it would diminish the menacing character of the amount, because the British Government had employed so many informers in Ireland, that if they still received pay from the retired list, a considerable sum could be accounted for. In fact, he should not be surprised to hear that half the total of the Vote was spent on pensions. The application of the fund had been so evil in many cases that the Government ought to explain how it was spent, and guarantee that it was not employed to-day as it was 10 or 20 years ago in suborning perjury, such as the evidence of the wretched Talbot, and rewarding such venal editors as Mr. Burch, the editor of *The Dublin World*, an organ supported and maintained by the Viceroy of the time for the purpose of slandering the character of Irish politicians.

MR. MACDONALD said, the speeches of the hon. Members for Meath (Mr. Parnell), and Dungarvan (Mr. O'Donnell) seemed to imply that Secret Service money was spent in no other part of the Empire except Ireland. But Scotland, years ago, suffered greatly from the existence of such a Service, and the name of one person—Castlereagh—was still thought of with detestation by working and middle-class people in that country. The work of such a system culminated at one time in the execution of an old man of 72 years of age, who was harmless and innocent. But the disturbances which led to such a result did not end there. Open rebellion was brought about, a battle took place between the Forces of the Crown and the people at Barrymore, and two men, whose characters, history now told them, were beyond the slightest stain, who were of the highest order of Scotch peasantry—these men were hanged in virtue of a plot known to be instigated by Castlereagh and his minions. Secret Service money had also been used for the very worst purposes in England. During the Chartist agitation from 1838 to 1840, it was clearly shown that such money was employed for the purpose of fomenting insubordination and rebellion among the people. Then unfortunate victims who had been lured into rebellion by Government money were sent to distant lands for considerable periods. He could speak for, at least, 10,000 Scotch peasantry, and say that they detested Secret Service money. He was glad the subject had been brought forward, and it would be very creditable to the Government if they would get rid of the system altogether. If the hon. Member for Meath divided the House on the question, he would support him.

Sir CHARLES W. DILKE said, formerly pensions were largely supplemented out of the Secret Service money. That was to say, a person receiving a pension from some public Department, frequently had it added to from the Secret Service money. Evidence of this fact was given before the Diplomatic Service Committee years ago, and the year before last attention was drawn to the subject. Some statement was then made by the Government, but he (Sir Charles W. Dilke) did not know if the practice had been stopped, or whether it still continued. Of course, the House of Commons had no right to ask in what way the Secret Service money was spent; but certainly it had a right to say that pensions should not be supplemented out of such a Vote.

Mr. J. W. BARCLAY said, he thought it was time for the Government to consider whether this Vote ought to be proposed at all. There was something not altogether creditable in the expenditure of public money on Secret Services, and he should think that a Minister of the Queen would feel scarcely comfortable in mixing himself up with transactions of the kind. If the money was expended for the purpose of bringing criminals to justice, he saw no reason why it should not so appear on the face of the Votes; if it was not so expended, but was allowed to filter away through all sorts of occult channels, he thought the sooner an end was put to the voting of money for such purposes the better.

Mr. O'SHAUGHNESSY said, he thought the main objection to Secret Service money was that it gave a positive temptation to a certain class of Government officials to encourage crime, in order that they might gain rewards for afterwards detecting it. In the summer of 1865 he was spending a holiday at a watering place in the West of Ireland, where he saw bands of men go out into the fields for the purpose of drilling, as an avowed part of the Fenian organization. The police stood by, saw all this, and knew perfectly well what it meant; but by their tolerance—connivance, in fact—they lured these men, most of whom were very young, into a course which brought them within the meshes of the law. A scandalous example of this was afforded by the case of Constable Talbot, whose conduct could only tend to alienate the people from their respect for the law. He had himself been subjected to this sort of espionage. On one occasion he arrived at the railway station at Limerick, carrying with him a long box containing mallets and balls for playing croquet. He was met by three policemen, who insisted on seizing his box, on the ground that it contained arms and ammunition. On opening it, however, they found that the only balls it contained were of wood, and the only weapons of propulsion were mallets. He remembered, on another occasion, hearing that a stipendiary magistrate asked a gentleman, occupying a prominent social position, to prevent his daughter from wearing a dress of invisible green colour, on account of the fact that the sight of it might possibly incite the lower classes to the commission of illegal acts. The gentleman appealed to his daughter who, on the ground that the colour of the dress was admirably suited to her complexion, declined to change her attire—even though the wearing of the dress might endanger the safety of the Empire. There was another case, too, of an informer in Hong Kong, who received secret money to spend in a house of ill-fame, in order to convict the person who kept it. He thought there could be no doubt that some power of active supervision ought to be given to Parliament over the disposal of this money, and until it was done, hon. Members of that House would be perfectly justified in continuing their opposition to the Vote.

Sir JOSEPH M'KENNA said, he could scarcely credit the Hong Kong case to which his hon. Friend had referred, as there was only an unofficial statement of the facts which had come to hand, and it disclosed proceedings so base as to pass belief. The Secret Service money was, in many cases, it was alleged, used for purposes of great baseness, and he hoped steps would be taken by the Government to put a stop to such practices as were said to exist, or to explain that they had no existence.

Sir HENRY SELWIN-IBBETSON deprecated the repetition of these discussions year after year, because they could not lead to anything satisfactory to those hon. Members who objected root and branch to the granting of any money at all for Secret Service. It was the very essence of a secret Vote that the details of its expenditure should not be disclosed to the public. He could admit that the accusations made against the Vote, from the point of view of the Irish Members, were borne out by facts. The Vote asked for was, in amount, £24,000, but it would not necessarily be expended. In the year 1876-7, £24,000 were voted, but only £14,900 were expended. In the year 1800 the amount voted by Parliament for Secret Service was £112,000; but it had gone on steadily decreasing since that time, and he hoped that decrease would continue. The fund was administered by the heads of the different Departments, on the faith that it was used for the public service, in reference to matters which could not absolutely be made public. Each Minister was responsible for the amount voted for his Department, and it was administered on the actual responsibility of such Minister. In reply to what had been said by the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke), he might safely answer that, whatever might have been the practice in ancient times, the amount voted for Secret Service money was now devoted to payment for special services, and was not used for the purpose of increasing salaries paid to the officials holding office in the different Departments in the service of the State.

Mr. BIGGAR thought the hon. Baronet the Secretary to the Treasury had himself furnished a reason for decreasing the Vote, by stating that much less than the sum voted was annually expended. As at present managed, each one of the Departments had entrusted to it for expenditure a certain portion of the Secret Service money, and he saw no reason why each of the Departments should not give an account, yearly, of the way in which the money was disposed of. If this were done, a great deal of the suspicion now felt would be got rid of. As far as the use of Secret Service money in the past was concerned, it must be perfectly well known that in Ireland it was extensively used by the infamous Lord Castlereagh, in order to induce persons to join in the Rebellion, which cost many people their lives. On every ground, therefore, he thought there was a sufficient cause for objecting to the present Vote and moving its rejection.

Mr. O'CONNOR POWER said, he had listened very attentively to the debate. He was unable to agree to the proposition that Secret Service money might, with advantage to the public service, be entirely abolished. At present, he was not able to conceive that there were not many things for which a Government was obliged to use secret money, and yet which it would be very undesirable to publish to the House of Commons 12 months after the event. Still, if the hon. Member pressed his Motion to a division, he should certainly vote for it, as a protest against the manner in which this fund had been applied. The hon. Baronet the Secretary to the Treasury (Sir Henry Selwin-Ibbetson) had said that the allegations of his hon. Friend (Mr. O'Donnell) against certain officials in Dublin were incorrect. Now, as to the statement that an Irish official had employed the Secret Service Fund in hiring a newspaper to assail Irish patriots, if the hon. Baronet would only consult the files of the Irish newspapers——

Sir HENRY SELWIN-IBBETSON said, he did not dispute the statement at all, nor the one that the Secret Service

Fund had been employed during the Fenian rising. What he did say was, that the latter statement was exaggerated.

Mr. O'CONNOR POWER said, he was very glad to hear that. Of course, these discussions would be futile and idle as the passing wind if some impression were not made on Ministers by these discussions, and if they were not disposed to recognize that in certain cases very grave mistakes—to say the least—had been made. It would be the duty of every head of a Department entrusted with money of this kind to see that mistakes of this kind were not repeated. The use that was made of this money was notorious in the case of Lord Castlereagh, and Burch, the proprietor of *The World*. It was also true that Talbot was employed to go into Clonmel, and there first swear in the peasantry as Fenians, and then go into the dock, and swear away their lives. It was not necessary to bring the guilt of having sent out this man home to the Chancellor of the Exchequer or the Attorney General; but it was sufficient for his purpose to show what had been done in the past. He had been told that they were on the eve of great social troubles, and before the excitement burst upon them, he wished to warn the Government to keep a sharp eye on their officials in the country, and to see that none of them were stirring up tumults. He asserted, and thought he had proved, that this money had been disgracefully applied in the past; and if the Government would not take proper measures for dealing with its disposal, it would be their duty to exhaust every Form of the Committee and the House in protest against the Vote.

Question put.

The Committee *divided*:—Ayes 34; Noes 49: Majority 15.—(Div. List, No. 147.)

Original Question,

"That a sum not exceeding £20,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for Her Majesty's Foreign and other Secret Services,"

put, and *agreed to*.

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £5,390, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Department of the Queen's and Lord Treasurer's Remembrancer in Exchequer, Scotland, of certain Officers in Scotland, and other Charges formerly on the Hereditary Revenue."

Mr. O'DONNELL said, there were several items in this Vote which seemed to him to have lost their appropriateness. There was, for instance, £97 for Her Majesty's Limner, an institution not quite in keeping with the usages of modern times. Again, there was £184 for Her Majesty's Historiographer. If there was to be a recognition of merit in this way, he did not see why the distinguished scholar who enjoyed the salary should not be on the Civil List, in receipt of the same recognition as was frequently paid, on a somewhat moderate scale it was true, to men of merit in England. The next item was Her Majesty's Clockmaker, £17. Surely, attending to the clocks at Holyrood and other places was a matter which might just as well be paid by the job. Her Majesty's Clockmaker at present certainly received a salary either very much above or very much below his commercial value. He begged to move the reduction of the Vote, in the first place, by the salary of Her Majesty's Limner for Scotland.

The CHAIRMAN: Does the hon. Member propose to omit the item, or to reduce the Vote?

Mr. O'DONNELL: To omit the item, Sir.

Motion made, and Question proposed,

"That the Item of £97, for the Salary of Her Majesty's Limner, be omitted from the proposed Vote."—(*Mr. O'Donnell.*)

Sir HENRY SELWIN-IBBETSON said, the post of Her Majesty's Limner was one always held by some great painter. It was once held by David Wilkie, and the salary then was £300 per annum. It was now held by Sir Noel Paton at £97, and he ventured to think a sum of that sort was by no means too much to pay as a recognition of public services of the character and description of these gentlemen. He trusted the Committee would not say by its vote that it begrudged a sum of this kind.

Mr. BIGGAR said, he would not oppose this Vote if the money really went to encourage art; but he did doubt very much whether to give certain persons sums of money in this way did any good. If they were earning, as he supposed Sir Noel Paton was earning, a very large income, the money might surely be spent in a much better manner—for instance, in prizes to students who were trying to make their way.

MR. O'DONNELL said, he would not trouble the Committee to divide, after the explanation that had been given, but would simply content himself with saying "No" to the question. All these distinctions, he thought, should be honorary. The money could be of no importance to Sir Noel Paton, and it would, therefore, be quite sufficient to have these as honorary posts. The emoluments in any case could in no way correspond to the literary or artistic eminence of the persons concerned.

Motion, by leave, *withdrawn.*

Original Question again proposed.

MR. MACDONALD said, he observed that they had again the Vote of £144 for the Historiographer. The gentleman who held that office was well known and highly respected in Scotland as an historian, and also as one who had done good service to his country in other respects; but he would like to know from the hon. Baronet the Secretary to the Treasury if this was to be continued? because last year when this sum of money was voted it was to complete the volume. Now, it did occur to him that from the work this gentleman had to perform it must be a very bulky volume. He feared it was a taking away of the public money rather than a promotion of the object that was in view. He should like to know when this volume was likely to be completed?

THE LORD ADVOCATE rather thought the hon. Gentleman was somewhat under a misapprehension as to the present item. He would ask leave to say that these offices of Historiographer of Scotland and Limner were honorary offices that were given to men of high position in literature and art. The payments were not in respect of services. It would be seen that these were a few old relics left of Scottish Royalty. They had nothing left in Scotland that represented the old Royalties of the Kingdom except these offices, which at one time were hereditary. The salaries were once paid out of the personal revenues of the Sovereign; but by Act of Parliament these revenues were transferred to the State. At the time that transfer was made to the Exchequer, certain of these honorary offices, which, as he said before, represented the sole relics of Royalty in Scotland, were maintained. There was another office under the Lord Clerk Register, where a grant was made, but of much smaller amount than the sums given to England and Ireland, for the purpose of making available to the public at reasonable expense the treasures that were collected in the Register House in Edinburgh. The item they were dealing with was an honorary allowance given to a man who had earned his spurs in the field of literature. It was not brought forward simply to stimulate the cultivation of letters. He did not think literary gentlemen stood in need of that; but he should regret if a practice which had existed from time immemorial should be taken away, because it was looked upon as a great prize by men of letters in Scotland.

DR. CAMERON would be very sorry to do away with relics of the ancient Royalty of Scotland, but there was an office which he should be glad to see done away with, and that was the Lyon-King-at-Arms. On one occasion there was something like blackmail in connection with that office. The occasion was this—Biographies of hon. Members who first entered that House appeared in a paper called *The Illustrated House of Commons,* with arms opposite each name. Those hon. Members received from some person, who pretended to speak in the name of this office of Lyon-King-at-Arms, an inquiry asking by what right they assumed these arms, and requesting the payment of £40 for that assumption. Most of the hon. Members thus questioned found themselves in an awkward position; but, never having been guilty of the assumption of arms himself, and arms having been placed opposite his name, he was able to inquire into the matter boldly, without any fear of the payment of the sum required. He confessed he did not get a satisfactory answer. The man who said he had written to him did not appear to have written with any authority. His authority was repudiated by Lyon-King-at-Arms. The man assured him that he had authority; but he did not think the matter was seemly, and he trusted it would be inquired into.

SIR GEORGE BOWYER, before the Lord Advocate answered the question, would like to know what was the present state of the office, and whether there was such a person as Lyon-King-at-Arms? Some people supposed that Lord Kinnoul was Lyon, and that the office was hereditary in his family. He should like to know something about that. It was said that the only people in the office were clerks to copy documents. It seemed to him that the office of Herald of Scotland ought to be kept up, and kept up with dignity. It was a great pity if this office had been frittered away. There were many people who took an interest in this subject, who would wish to know from the right hon. and learned Lord who the Lyon was, and what were the duties performed in the office?

THE LORD ADVOCATE said, it was quite true that at one time the Earls of Kinnoul were Lords Lyon-King-at-Arms of Scotland; but, some years ago, Parliament took the arrangements of the office into its own hands, and by Statute 30 *Vict.* c. 13, the office was remodelled, and, instead of the office retaining the fees as the property of the Lyon-King-at-Arms, the fees were paid into the Treasury. The office was now held by a well-known gentleman, a cadet of one of the oldest families in Aberdeenshire, and one of the most learned heralds in Scotland. It was the duty of the officials to receive the fees which were scheduled by the Act of Parliament, and precisely fixed. He was very sorry that any unjust claim, if such were made, was presented by these officials. He trusted the law was not unduly pressed against any hon. Member of that House. But it clearly was the duty of the office to collect the fees, and he was happy to say the office was in a most thriving condition.

MR. WHITWELL hoped the hon. Member for Stafford (Mr. Macdonald) would not press his objection to the small amount paid to the Historiographer of Scotland. He trusted that the objection to the amount paid to the Limner would also be withdrawn. When they considered how, in foreign countries, Art was rewarded by degrees, and still more by orders, he did not think they could object to these small amounts. He would like to ask the Secretary to the Treasury whether the right hon. and learned Lord Advocate was strictly accurate as to the receipts of income from this office? There ought to be a record on the Votes of all receipts of income. In all other cases receipt of income was recorded. He was not aware that there was any other Vote where corresponding income was not recorded. No doubt, the Secretary to the Treasury would look after that.

SIR HENRY SELWIN-IBBETSON would not pledge himself that this represented the whole of the receipts of the office; but hon. Members would see that there were receipts for £700 placed under the Vote. While he had risen, he would answer the hon. Member for Dungarvan (Mr. O'Donnell). With regard to his opposition to the item of the Clockmaker, that was money paid for duty done. The man had charge of the clocks not only in the Palace at Holyrood, but in the Courts of Justice, and, therefore, this did not represent an honorary office, but represented work done.

DR. CAMERON would point out that the fact that fees were received by the Lyon-King-at-Arms rendered the circumstances which occurred a few months ago all the more inexcusable. On the occasion to which he referred, the demand did not come from the office, but came from a person purporting to come from the office. Yet, no steps had been taken to bring him to account.

THE LORD ADVOCATE could only say, that if the hon. Member had reported the circumstance to the office, steps would have been taken.

MR. O'DONNELL said, that his objection was, that these Votes were neither quite honorary, nor really valuable. As for the rest, he confessed if he had looked on this item simply in the light of remains of old Scottish Royalty, he would have treated it with more veneration. He had great veneration for the charming sentimentalism that still subsisted, and he hoped the Government would not be alarmed at this revival of Scottish Home Rule through the Votes of the Civil Service.

MR. MACDONALD observed, that one question he had asked had not been answered. He wanted to know when they were likely to have this volume? He knew there were men who were as anxious to have reprints of old books, as they were to have old china. He knew men who were looking anxiously for this book, and he would be glad if the right hon. and learned Lord Advocate would tell them when they were likely to have it. He would not press the matter to a Vote. What he wanted to know was, when they were likely to have this volume, which had been so long in preparation?

THE LORD ADVOCATE explained, that the Vote was put in accordance with the Rules of the House, but did not relate to this book. There was a rule that when a public officer derived salary from one source, if he was, at the same time, deriving Government pay from another source, it should be mentioned; and this entry merely recorded that he received payment for preparing the volume. He might say that he believed the literary work had been accomplished; but, as the hon. Member was aware, the duty of superintending the publication of the work fell on the Lord Clerk Register of Scotland, an office vacant by death.

MR. BIGGAR asked for explanation of the item relating to the Secretary to the Bible Board?

MR. J. W. BARCLAY would suggest that in future the Estimates should avoid separate details of these relics of the Crown. Two hours were wasted last year in discussing these Estimates. On seeing the words "Limner" and "Historiographer" there was a good deal of curiosity among those to whom the names were new. If they were simply indicated as charges on the hereditary revenue, that would be quite sufficient.

SIR HENRY SELWIN-IBBETSON, in answer to the hon. Member for Cavan (Mr. Biggar), said, that the Secretary to the Bible Board's duties depended on the number of editions of the Bible in the course of publication. Out of the salary, the Secretary to the Bible Board paid a reader, who was by profession a printer, and who did the technical work. He believed the Secretary had also to provide office room for books and papers out of that amount. As agent of the Bible Board, this man was appointed from time to time by the Lord Advocate, and the clerks he had to employ were paid also from his salary. He believed the Secretary was formerly paid by fees; but the fees were now paid into the Treasury, and came to the same amount, or, rather exceeded, the salary; and, therefore, practically, it was not a great cost to the country.

MR. BIGGAR, after that explanation of the hon. Baronet, would feel called upon to move that the Vote of £600 to the Secretary of the Bible Board be not paid. The explanation was extremely satisfactory as far as it went. This gentleman paid as rent for the office £50 a-year; he paid to the reader not more than £100 a-year, and he did all the actual work; the result being that the Secretary of the Bible Board got £400 a-year for doing nothing. It was a sinecure, as far as he could see; and he did think that, unless the right hon. and learned Lord Advocate could give a more extended explanation, he should be called upon to ask for a division. Really, as at present advised, he should feel called upon to ask for a division. One of the duties of the Committee of that House on the Estimates was to see that no money was unreasonably spent. It seemed to him, as far as the information he had went, that this £600 was entirely thrown away. It was a sinecure for some gentleman. A sum of money was given, and no service was given in return. He should think it his duty to vote against the grant, and would move to omit £600, the salary of the Secretary to the Bible Board.

Motion made, and Question proposed,

"That the Item of £600 for the Salary of the Secretary to the Bible Board be omitted from the proposed Vote."—(*Mr. Biggar.*)

MR. O'DONNELL would suggest to the hon. Member for Cavan (Mr. Biggar) not to push his objection to this item. After all, this item was connected with the religious institutions of the country, and might as well be passed by.

MR. MACDONALD thought there was some misapprehension in the mind of the hon. Member for Cavan (Mr. Biggar), and he feared the hon. Baronet the Secretary to the Treasury did not quite understand what the question really was. The Board, as he understood, was constituted as follows:—When a printer desired to print an edition of the Bible, that edition had to be submitted to the Clerk of the Board, and had to be read carefully. It was not a sinecure office. It was an office appointed for the use of the country, and so long as that was the case, this office should be maintained. Therefore, he hoped the hon. Member for Cavan would not push his Motion to a division.

The LORD ADVOCATE said, this was a matter discussed on the Motion of the hon. Member for Edinburgh (Mr. M'Laren) last year. At one time it was the subject of a great deal of controversy in Scotland. There was a monopoly of printing the Bible in Scotland, which involved great expense. For that was substituted a system of licensing in order to protect the purity of the text. He believed the whole of the religious sects in Scotland were quite agreed on the utility of this Board, and would not like to part with its services.

Mr. BIGGAR said, he was only partially enlightened so far, and for this reason—there was an expenditure on all fours with these hereditary and Royal appointments. First, there was the Secretary to the Bible Board; then there were the Limner and Historiographer, the Warder of the Regalia, and so on. These were all included under the hereditary allowances. Of course, the first time the Bible was in Scotland, as far as he knew, was in the reign of James the First. He certainly certified for the possession of the Bible, and perhaps that rule was still in operation. The fact remained, that this Secretary to the Bible Board got £600 a-year for correcting proofs of the different editions of the Bible. The Secretary might correct the proofs of one edition every three months; and it really seemed to him an extraordinary payment. He thought he ought to divide the Committee.

Mr. J. COWEN said, his hon. Friend the Member for Cavan (Mr. Biggar) was not here last year, when this Vote was explained. The £600 was paid for work done. The question was, whether the State ought to undertake that work. He did not think the State should undertake that work; but if the hon. Member for Cavan really knew what the work of correcting proofs was, he would not begrudge £600.

Mr. BIGGAR said, as it appeared by the explanation of the hon. Baronet (Sir Henry Selwin-Ibbetson) that the sum in question was not an over-payment, he was willing to withdraw his Motion for the omission of this grant.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Mr. BIGGAR said, he must ask the hon. Baronet the Secretary to the Treasury for a further explanation. He wished to know what were the duties of the Law Agent of the Scotch Bible Board? He would move the omission from the Estimates of the sum of £240, which appeared as the salary of this officer.

Motion made, and Question proposed,

"That the Item of £240 for the Salary of the Law Agent to the Bible Board be omitted from the proposed Vote.—(*Mr. Biggar.*)

Sir HENRY SELWIN-IBBETSON explained, that it was the duty of the Law Agent to watch that there was no infringement of the licence of the Board, and to prosecute for any such infringement. He was compelled to appeal to hon. Members as to whether, in proceeding with the consideration of the Estimates, the Committee were to do so in the usual manner, or in that lately followed—a course which appeared to him to be consistent neither with the dignity of the House nor the transaction of Business.

Mr. BIGGAR said, he had no intention of placing obstacles in the way of the Business of the House. It was only reasonable that he should ask for information sufficient to enable him to understand the purposes to which this sum of money was to be applied. He had deferred to the views of several hon. Members in withdrawing his previous Motion, and, after the explanation afforded by the hon. Baronet (Sir Henry Selwin-Ibbetson), he would now beg leave to withdraw his opposition to this Vote of £240.

Mr. PARNELL said, he could understand the impatience of the hon. Baronet the Secretary to the Treasury when questions were asked by Irish Members with respect to the Scotch Estimates. The questions of his hon. Friend related to subjects perfectly familiar to Scotch Members, but with which Irish Members were unacquainted. The hon. Member for Cavan came from the North of Ireland, and, by the responsibility cast upon him as a Member of that House, was asked to vote money for Scotch and English, as well as Irish purposes. It seemed to him that the hon. Baronet was suffering, not so much from any fault of his own, as from the faults of those who, in the year 1800, effected the arrangement which compelled the hon. Member for Cavan to come over to this country in order to assist in passing this Vote for Scotch purposes. His ignorance of these matters must, therefore, not be regarded as a fault, but as a misfortune. The explanation of these Votes which had been afforded by the Secretary to the Treasury was of great value ; but, at the same time, he (Mr. Parnell) was bound to say that his explanations had not always been satisfactory ; and the hon. Baronet would bear him out, that at an earlier period he had said that it was impossible for the discussion of the Estimates to be satisfactorily conducted in a Committee of the Whole House, and that one of two things would result therefrom—either that the Committee would lose its temper over the amount of time necessary to be expended, or that the Estimates could not be discussed at all. He had invited the hon. Baronet to refer the whole of the Estimates to a Select Committee upstairs; and he now repeated his invitation, under the conviction that a very large saving could be effected if this course were adopted.

THE CHAIRMAN would point out to the hon. Member for Meath (Mr. Parnell), that his observations went beyond the Question before the Committee, to which he should endeavour to confine them.

MR. PARNELL would continue to do so. [" Order !"]

THE CHAIRMAN said, he must remind the hon. Member for Meath (Mr. Parnell), that after having been requested from the Chair to abstain from a particular line of argument, it was scarcely respectful to the Committee to say that he proposed to continue it.

MR. PARNELL had, perhaps, expressed himself incorrectly; but, of course, had not intended to refer to anything but the particular Vote under discussion, in doing which he had only expressed his conviction that if these particular Estimates were referred to a Select Committee, many ways could be pointed out by which a very material saving might be effected.

Motion, by leave, *withdrawn.*

Original Question again proposed.

MR. O'CONNOR POWER said, he could not allow the remarks which had fallen from the hon. Baronet the Secretary to the Treasury to pass unnoticed. A great deal of the difficulty in which the hon. Baronet was placed arose from the fact that he had not been assisted during the evening by the Heads of the Departments for which this money was asked. It was most desirable that those Gentlemen should be present, whose duty it was to be thoroughly posted with regard to these items. He had observed the Secretary to the Treasury sitting for a long time during the evening without a single Member of the Government beside him to afford explanations upon questions that had presented themselves earlier in the discussion ; when, however, the Lord Advocate came in, every explanation had been given, and the Committee were enabled to proceed with Business. He had referred to these facts, so far as they related to the hon. Baronet, rather by way of commendation than otherwise ; but, at the same time, he was bound to say that every Member of the Committee had a perfect right to make and maintain an objection to any item in the Estimates.

SIR HENRY SELWIN-IBBETSON said, if the hon. Member for Cavan (Mr. Biggar) had devoted some attention to these Estimates when they were gone into last year, he would have been in possession of a full explanation. He had only alluded to the course pursued by the hon. Member, because it seemed to him that the discussion was perpetually coming back to the same point, and that if any progress at all was to be made with the Estimates it could hardly be effected by that mode of procedure.

MAJOR O'BEIRNE said, many were of opinion that Queen's Plates, by encouraging short races with light weights encouraged the breeding of a weedy and worthless description of racehorse ; and it was a common saying of an inferior description of racehorse, that "he was only fit to run for a Queen's Plate." He therefore moved the reduction of the Vote by the sum of £99, the amount of the Queen's Plates, Edinburgh.

Motion made, and Question proposed,

"That the Item of £99, for Queen's Plates to be run for at Edinburgh, be omitted from the Vote."—(*Major O'Beirne.*)

SIR HENRY SELWIN-IBBETSON pointed out, in reply to the hon. and gallant Member for Leitrim (Major O'Beirne), that the Vote had been thoroughly discussed on a previous occasion. In 1870, a division had taken place, and the Government were induced to strike the item out of the Estimates. Since then, however, in the year 1872-3, it had been restored, on the Petition of some of the Scotch Members, and he believed that as the matter now stood, it really represented the wishes of the majority of the people of Scotland.

Sir JOSEPH M'KENNA said, he had always looked upon the sport of horseracing as one of the most innocent of recreations, and hoped that the hon. and gallant Member for Leitrim (Major O'Beirne) would not insist upon his Motion.

Mr. MITCHELL HENRY hoped the Vote would not be objected to. On a former occasion the Scotch Members had strongly opposed this item for the Queen's Plates, and their wishes had been gratified; but experience had since shown that their object in so doing was the withdrawal of the Queen's Plates from other portions of the Kingdom as well as Scotland. As soon as the Scotch Members found that the sum of money which had formerly gone to Scotland had been struck out by their virtuous action, they requested that it might be restored. He thought that as the Scotch Members wanted the money they should be gratified, and trusted that his hon. and gallant Friend would not go to a division on this Vote.

Major O'BEIRNE thought it was doubtful whether the Scotch people did wish for this money. In his opinion, the grant was a very unsuitable gift to such a nation as the Scotch, who, judging by their manner of observing the Sabbath, led one to infer that they objected to every kind of amusement. The money was thrown away in making such a grant, and, as apparently a number of Scotch Members agreed with him, he should press the question to a division.

Mr. RAMSAY said, he had been led by his convictions as to the feeling of the people of Scotland as well as by his own opinions on the subject of horseracing to vote against the application of this money for the Queen's Plates; but he had been deterred that evening from taking any notice of the amount in question, simply because hon. Members were proceeding with their criticisms to such an extent as to exhaust the patience of the Government and waste the time of the House. He could not allow the representation made by the hon. and gallant Member for Leitrim (Major O'Beirne) to be a correct exposition of the feelings of the people of Scotland; but, even if it were, to waste the time of the House was not a satisfactory way of redressing a grievance. He would, therefore, appeal to the hon. and gallant Member not to proceed with his Motion.

Dr. CAMERON said, he had not raised any objection to this portion of the Vote, for the same reason as that given by the hon. Member for Falkirk (Mr. Ramsay). He was, however, of opinion that the reduction of the Vote by this amount for the Queen's Plates would not be contrary to the wishes of the people of Scotland.

Mr. MARK STEWART observed, that although the Scotch Members, as a body, were not favourable to a continuance of the Queen's Plates, he thought that while they were granted to the sister Kingdom, it was but right they should continue to be extended to Scotland. He should certainly vote against the Motion.

Dr. BRADY said, the Queen's Plates had done a great deal towards improving the breed of horses in Ireland. They had done much good in past years, and he was sure that the wishes of the people of Ireland were in favour of their continuance. He knew no portion of the Kingdom where Plates of this description were more necessary than in Scotland, and, on that account, he should certainly vote against the proposition of the hon. and gallant Member.

Mr. MELDON said, the object of the Scotch Members in voting against the continuance of Queen's Plates in Scotland was to get them withdrawn from Ireland, their case being that, as they were willing to see justice done, they would consent to their discontinuance in Scotland if the Irish Plates were also withdrawn. Personally, he (Mr. Meldon) did not care about horseracing; but it was exceedingly popular among the people of Kildare, the constituency which he represented. He could not understand the Motion, as coming from an Irish Member. On a former occasion, the Irish Members had almost in a body voted for the continuance of the Queen's Plates, and he thought it unfair to expect them to eat their own words. If the Scotch Plates were withdrawn, of course, the Irish Plates would, in common fairness, have to be withdrawn also—a result which he was sure the Irish people did not desire. He hoped that the Motion before the Committee would not be pressed to a division.

Mr. J. W. BARCLAY wished also to reply to some of his Colleagues, and to mark his dissent from the opinions expressed by them at an earlier stage of the discussion. He thought that the people of Scotland took a very considerable interest in horseracing. He (Mr. Barclay) did not approve of it, but was obliged to recognize the fact that horseracing was on the increase in Scotland, and that a strong feeling in its favour was entertained by a large majority of the people.

Mr. MONK admitted that the sum of £99 was so exceedingly small as to render the discussion of the amount itself needless. But there was a principle underlying this question. If the sum were really given for the Queen's Plates, it should be provided from the Privy Purse, and the Representatives of the people ought not to be asked to vote this money out of the Consolidated Fund. For that reason alone, he would record his vote in favour of the Motion.

Mr. O'CLERY said, that as he liked to see a good race, he was quite willing to bear his share of the expense. He considered that Irish Members had no right to object to the Queen's Plates in Scotland, and that it would be wrong for him to go into the Lobby to vote against his Scotch Friends.

Mr. MACDONALD said, in the course of the discussion the Committee had heard a great deal about the breed of horses, which was said to be improved by the competition for the Queen's Plates. He denied that the Queen's Plates had improved the breed of horses in Scotland, and believed that anyone who was acquainted with the kind of horses that ran for these Plates must know them to be a lot of old screws that had been drummed off every racecourse in the United Kingdom, and as such, they were quite unfit for breeding purposes.

Question put.

The Committee *divided*:—Ayes 25; Noes 94: Majority 69.—(Div. List, No. 148.)

Original Question put, and *agreed to.*

(3.) Motion made, and Question proposed,

> "That a sum, not exceeding £10,848, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Fishery Board in Scotland."

Mr. FRASER-MACKINTOSH complained that the grant of £3,000 for Piers and Quays had been for many years almost, if not entirely, absorbed by the Harbour of Anstruther, and he thought this unfair to other localities sorely in need of accommodation for fishing boats. He also wished to ask the Financial Secretary to the Treasury to declare in a more distinct manner than he did lately on the discussion raised by the noble Lord the Member for Elgin and Nairn (Viscount Macduff), what the intentions of Government were in reference to the recent Report of the Herring Fisheries' Commissioners which referred to harbours? There were numerous places on the North-eastern Coast of Scotland and friths, where pier accommodation was much needed; but these localities were very poor. He wished to know whether, in those cases where the localities undertook substantial obligations, Government would assist in form of loans on moderate terms?

Mr. MACDONALD directed attention to the salary of the Secretary to the Fishery Board. It was stated to be £524; but an explanatory note showed that he also received £300 per annum from the Vote for the National Gallery, as Secretary to the Board of Manufactures, &c. This was another instance of a plurality of offices vested in one man—a practice which indicated a good deal of extravagance. Unless a very satisfactory explanation was given, it was his intention to move the reduction of the Vote by the sum of £300, in order that the latter amount might be given to some other person, and not all to one man.

Mr. J. W. BARCLAY objected to the whole Vote for the Fishery Board, because he did not think it did any real good. He understood the hon. Member for the Inverness Burghs (Mr. Fraser-Mackintosh) to complain, in effect, that this sum of £3,000, annually granted for Piers and Quays, led the proprietors of the small harbours round the coast to make out an urgent case, in order to induce the Government to help them, instead of depending more upon their own efforts, and he thought he was quite right. Most of these small harbours belonged to the owners of land adjacent, and any money expended upon the harbours by the Government simply went to increase the revenues of the landowners. If the hon. Baronet (Sir Henry Selwin-Ibbetson) could hold out any prospect of allowing the proprietors to have Provisional Orders with greater facility than at present, he would, by saving a great deal of trouble and expense, offer the best encouragement to local effort. The point to which he particularly objected in the Vote was the branding. That was a question which had been repeatedly discussed in that House. A good many years ago a Commission reported upon the subject, and pronounced against branding; or, at least, they expressed the opinion that if the herring-curers wanted the system of branding, they should themselves pay for it. He was for many years of opinion that the small curers could not get on without the Government branding system; but after a careful consideration of the question, he was now fully of opinion that branding, in the long run, was not of advantage to the small curers, any more than to the large. Formerly the Government brand was of value, because it indicated a certain description of herrings, and abroad was accepted implicitly as such; but of late years the quality of the fish branded had been so uncertain that Continental buyers were obliged to stipulate that, besides the barrels having the Government brand upon them, the herrings should be warranted by the trader to be of fair average quality. This involved great uncertainty in the trade. Another disadvantage was that the branding system gave great facilities for speculation, and caused considerable fluctuations in the price, causing much injury to the whole trade. For instance, herrings were often sold for weeks before they were branded, or even caught. Last year, for example, speculators went into the market and unduly raised the price, so that, at the end of the fishing season last year, it was as high as 40*s.* a-barrel. Contracts with the fishermen for this year's take had been made at Christmas, based on this extreme price, which had since fallen to 25*s.* If the branding system were abolished, the trade would no doubt soon get into a sounder and more healthy condition; the larger curers would establish a reputation in the market, and would buy the herrings of the small curers on fair terms, and the competition among the curers would improve the quality of the cure. On these grounds, he should move the rejection of the Vote.

Moved, "That the Vote be disallowed."—(*Mr. J. W. Barclay.*)

SIR ALEXANDER GORDON thought the hon. Member who had last spoken was under a misapprehension, as branding was quite optional, and not compulsory, as the hon. Gentleman seemed to suppose. Many curers did not brand their barrels, but relied upon their own reputation. According to the last Return, he found that, in the year 1876, the number of barrels of herrings exported to the Continent was 400,423, and of these only 222,979 were branded—very little more than half. Branding was of great value to small curers, because it enabled them to make money out of the fishing trade by establishing a little trade of their own, without being obliged to place themselves in the hands of the large traders. This was, no doubt, a vexed question in Scotland; but he believed that the wish of the fishermen, as a body, was not that the system should be abolished, but that the cost of branding should be reduced from 4*d.* a-barrel to 2*d.* That was the impression he gathered last year, when he visited all the ports in his own neighbourhood, during the sitting of the Royal Commission. If that reduction were allowed, the amount realized from branding would still be sufficient to defray Departmental expenses; and he, therefore, recommended that the Government might, with advantage to the trade, fairly make the reduction desired by the Scotch fishermen.

SIR GEORGE CAMPBELL inquired whether the branding system was self-supporting? The expenses of the Fishery Board amounted altogether to £12,948; whereas the branding fees were £6,810. It ought to be made clear whether the branding was self-supporting, or whether there was a profit or a loss upon it.

SIR HENRY SELWIN-IBBETSON said, the branding was remunerative. The hon. Member opposite (Sir George Campbell) had mixed up a certain number of other charges which were included in this Vote—charges for Piers and Quays—which amounted altogether to something like £5,000. After deducting for that amount, the estimated cost of branding itself for the last year was about £5,200, while the actual receipts reached the sum of £6,000 or more. There was, therefore, a surplus; but it was not large enough to enable the Government to reduce the fee in the way suggested by the hon. and gallant Member (Sir Alexander Gordon). It was quite true, as had been stated, that branding was really a protection to the small curers, being accepted in foreign markets as a standard. He believed it was equally true that the brand was not adopted to a very large extent by the large traders. With regard to the question raised by the hon. Member for the Inverness Burghs (Mr. Fraser Mackintosh), although, for some period, the grant of £3,000 had been devoted principally to the Harbour at Anstruther, that had not been the case during the last two years. The grant had been made to supplement the local subscriptions from fishermen, and other inhabitants, which amounted to £1,000. He saw less objection to that form of granting aid than was open to other methods. With reference to the salary of the Secretary, this gentleman had a very responsible office to fill, and £524 did not more than fairly represent the value of his labours in that office. The £300 which the same gentleman received was for the duties performed by him as Secretary to the Board of Manufactures. This was, probably, a case in which one gentleman could do the work of two offices at a cheaper rate than if the two offices were filled by two distinct men. Where skill was required, it had been found better to obtain that skill and pay for it in this way, than to pay a much higher salary for the same amount of skill in two persons instead of one.

SIR JOSEPH M'KENNA deprecated the reduction of salaries on the cheeseparing principle. He defended the branding system, which, he observed, had been established by the State in order to give an ascertained value, or standard, to herrings, of a good quality, exported from the Scotch coasts. There were some large curers who had established for themselves a commercial reputation, which was quite sufficient for the purposes of their trade, without the sanction of a Government brand; but this brand was needed to protect the small traders who had not established a reputation from the monopoly which would otherwise be exercised by the large ones who had.

MR. BRUEN considered the question of branding should be looked upon by the Government as a national, and not merely as a provincial, matter. The subject had been discussed many times previously by the House, and he hoped if hon. Members were desirous of supporting the Government in continuing the advantages which branding secured, they would, at the same time, urge the unfairness of that boon being confined to one part of the Kingdom. He thought the Irish had a fair claim to be considered, and to be as liberally dealt with in this matter as the Scotch.

THE LORD ADVOCATE said, the question had not only been frequently discussed in the House, but it had been reported on several times by Committees of the House. There were inquiries made in 1848, in 1856, in 1866, and again in 1870, the two first and the last of these Commissions being specially appointed to consider the matter of branding. It hardly fell within the powers of the Commissioners of 1866, whose inquiries should rather have been devoted to trawling; but they did make a Report, which was unfavourable to the continuance of branding. However, the special investigation in 1870 resulted in its continuance being recommended. All the Government really knew was that the small traders voluntarily paid branding fees to the extent of £6,800 per annum, and, consequently, they had no reason to suppose that the charge was considered objectionable.

MR. MACDONALD said, the large curers did not use the brand, and he could assure the Committee that, despite the statement that the fees were voluntarily paid, there were great complaints about the whole of the £6,000 having to come out of the pockets of the poorer people. Seeing that there was an increase of £235 now proposed, he suggested the reduction of the Vote by that sum.

MR. MITCHELL HENRY said, Scotch herrings made a much higher price than those caught off the Irish coast, and that was owing to the former having the benefit of the Government certificate or brand, which was much appreciated in those parts of Europe where the fish were sold. In fact, the Scotch herring exporters had now almost a monopoly of the sales, and, having obtained such a position, certain large traders were perfectly willing that this protection should be withdrawn from them. But there were other and smaller traders who did not at all wish to see such a course pursued, and he, therefore, was not prepared to vote in favour of the discontinuance of branding. Unfortunately, by the Rules of the House, he could not propose that the system should be extended to Ireland. It was felt to be a great grievance that the Scotch herring fishery should be protected by a brand, which boon had always been refused to the Irish. The result was that Irish herrings, though just as good, did not fetch such large prices in the Continental markets as the Scotch fish. Another thing, which was well known, was that the Irish herrings had, to a considerable extent, deserted the Irish coast, and there were strong reasons for believing that the herrings, resenting the manner in which they were treated, went to the coast of Scotland, where they were considered with greater distinction. He hoped the gentleman, who used to sit on the Ministerial side of the House, and who had recently been appointed to the office of Inspector of Fisheries in Ireland, would use his powers to obtain Government protection for the Irish fisheries. He (Mr. Mitchell Henry) should support the Vote for branding in Scotland, and he hoped the Government would ere long institute a similar proceeding in Ireland.

Mr. M'CARTHY DOWNING had understood the Secretary to the Treasury to say he entirely disapproved of grants being made for constructing piers and harbours in the United Kingdom. The Act under which these grants were made was one of the most valuable Acts affecting Ireland, and he was utterly amazed to hear such a statement from the Secretary to the Treasury. Had not such an Act been in force, they would not now have had the safe piers and harbours which existed on the Scotch and Irish Coast for the benefit of the small fishermen, who had no other protection for their boats. He trusted the Secretary to the Treasury would not advise his Colleagues to repeal so valuable an Act of Parliament, and he desired to ask him, whether he had been correctly understood to say that he entirely disapproved of grants being made by the Government in aid of piers and harbours?

Sir HENRY SELWIN-IBBETSON said, the hon. Member had forgotten that he was alluding to a grant of £3,000 for Scotch Harbours, when he made the remarks referred to. On a previous occasion an opinion was very generally expressed in the House, and by a considerable number of Scotch Members, that these sums of money ought not to be made as grants; because such a course of proceeding encouraged the people interested in the construction of harbours to trust too much to Government aid rather than to their own exertions. The proper principle was for the Government to assist local efforts rather than grant large sums of money for the purpose of making harbours. He believed it would be much better to give assistance, than to encourage the people to lean upon the Government for the creation of harbours.

Mr. MORGAN LLOYD said, if the Scotch Members who had spoken really represented the feeling of the Scotch people in reference to this matter, he would have voted against the grant of this sum of money to Scotland. But he could not for a moment think that they had expressed the wishes of the Scotch people. His reasons for saying so were that, having recently been engaged in an inquiry relating to some herrings sent from Scotland to Holland, at which many Dutch merchants who dealt in herrings were examined, all of them agreed that in Holland the brand was considered as placing a value on the herrings, and that fish sold under such a brand could, as a rule, be relied on. In fact, had the herrings which gave rise to that particular inquiry been branded, litigation would have been entirely avoided, and the merchant would have taken the cargo on the strength of the brand. The fact of such a value being set on the system of branding by the merchants in Holland —and he did not know that it was not equally popular elsewhere—seemed to him to be a reason for retaining it. He was glad to find that the Irish herrings—like everything else Irish—

were intelligent and sensitive, and that they felt the insult cast upon them by the Government in neglecting to extend the brand to the Irish fishery. But, as they had left the Irish shore, perhaps it would be premature to consider a proposal to brand them until they returned.

MR. RAMSAY hoped the hon. Member for Forfarshire (Mr. J. W. Barclay) would withdraw the proposal for the disallowance of the Vote. In preferring such a request, it need not be understood that he differed from the hon. Gentleman; but he (Mr. Ramsay) thought time had been wasted by discussing a subject which was opposed, and with the same result, year after year. He hoped the Vote would be allowed to pass, and the Committee enabled to make some progress with the Estimates.

SIR GEORGE CAMPBELL did not like the word "protection," and he was very sorry it had been used in that discussion, because it seemed to him that no protection was afforded. The Irish Members were entirely mistaken if they supposed the Scotch people owed anything to the Treasury on account of the brand. Under an arrangement, which was entirely self-supporting, fish-curers in Scotland were allowed to have their exports branded; but they need not do so unless they chose. What was there in the nature of protection in such a system? He hoped the Committee would not be called on to divide against a plan which cost the nation nothing, and which, at the same time, was popular in Scotland. As to the making of harbours, he quite agreed with the Secretary to the Treasury, that grants should not be given to people who did not help themselves, but that assistance should be given to those who tried to do what they could by their own efforts. But sometimes the Government efforts had not been very successful. Anstruther was a case in point. There, an attempt was made to carry out some ambitious scheme in the shape of a harbour of refuge, the result being to spoil the harbour previously existing without providing any useful substitute. Anstruther was an important fishing station, where they wanted not a harbour for ships but for boats. After the Government had spent a very large sum of money in driblets, they had made a harbour into which it was extremely difficult to get in bad weather, and, when inside, a boat would be almost sure either to dash against the pier, or to be swept out by the receding current. Something had been done since, the result of which was that boats could neither get in nor get out in bad weather; but having gone so far—while he agreed with the Secretary to the Treasury in the principle he had laid down—he thought, as a matter of justice, they could not withdraw the grant in such a case until the harbour was made what it ought to be.

Motion, by leave, *withdrawn.*

Original Question again proposed.

MR. MITCHELL HENRY said, there could be no doubt that the brand was instituted for the purpose of giving a prominence to Scotch herrings which they would not have obtained but for this Government certificate. Some years ago, the fees paid for branding were not sufficient to meet the expenses, and a sum used to be voted yearly to supplement the fees; but, since then, the Scotch herrings had obtained such prominence in the world, as enabled the curers to cure them in sufficient numbers to pay the £6,800, which was the amount charged for branding. But that sum did not meet all the expenses. True, it paid for the Inspectors and individuals employed in affixing the brand. But, beyond that, they had the Fishery Board of Scotland, the most complete and direct instrument for preserving the Scotch Fisheries, costing £2,340. Therefore, to suppose that the Committee would believe that the whole system of branding was self-supporting, would be to draw rather too much on the credulity of hon. Members. He did not at all object to the branding of Scotch herrings, by the moderate expenses of which, and by the Government grant, the greatest benefits had been conferred upon a poor class of the community. If the Government were wise, they would extend the same system to other parts of the Kingdom, by which means herrings caught by the poor people of those localities would become as saleable and marketable in foreign countries as those which now came from Scotland.

MR. O'SULLIVAN said, he thought the position of the Government on this occasion very inconsistent, and he and others had been continually asking the Government to brand Irish whisky, so as to prevent Scotchmen selling bad Scotch spirit as Irish whisky. But the Government would not allow that to be done even at the expense of the distillers. ["Question!"] This was the Question, because the Government which branded Scotch herrings for the purpose of protecting them, allowed Scotch merchants and manufacturers to send bad spirit into Ireland, and to call it Irish whisky.

THE CHAIRMAN reminded the hon. Member, that the Question before the Committee was the Vote for the Scotch Fishery Board.

MR. PARNELL moved to reduce the Vote by £3,000. He did so, because, on referring to the Irish Estimates, he found only £3,900 put down for Irish Fishery purposes, whilst the expenses of the Scotch Fishery Board amounted to £12,900, a difference of about £9,000. So long as the Government refused the brand to the herring fisheries of Ireland, they were doing a serious injustice to the country, preventing the Irish traders from establishing a reputation in the market for Irish herrings in competition with Scotch herrings. As a consequence of such conduct, there was no curing whatever carried on in Ireland. During the Irish herring fishery, when large quantities were caught, steamers came from Liverpool and other places, laid off the fishing ground, received the fish as soon as caught, and carried them to England or Scotland, where they were cured and branded. By these means, it frequently happened that Irish herrings were sold as being Scotch or English. If these fish were cured in Ireland, a great deal of employment would be afforded to people who were much in need of work. The neglect of the Government, in reference to the interests of the fishermen, was one of the most important examples of their general neglect of the material and industrial resources of Ireland. During recent years, the shoals of herrings had increased to a great extent on the Irish coast, and had not, as the hon. Member for the county of Galway (Mr. Mitchell Henry) said, gone to the coast of Scotland. That being the case, an important and valuable industry might, with proper assistance in shape of giving the Irish the protection of the brand, be established in Ireland. He knew that very often, herrings, for which there was no market, and for curing which no means existed, were used for manure by farmers. If the Government gave them the brand, it would be of the greatest importance to the fishing populations in Ireland. They did not want direct support, they did not want a grant, nor did they want protection. All that they asked was that the Irish fisheries might be put upon an equality with the Scotch. The Scotch herrings had acquired a reputation by means of the Government brand, and they seemed now able to do without it; but that was not the case with Irish herrings. Ireland was still without that brand; but he firmly believed that, if his country had it, the result would be the setting-up of industries at different points which would contribute materially to the welfare and posterity of the seafaring population along the coasts. No one who had come in contact with the large seafaring population of Ireland would dispute that proposition. Sometimes the fishermen of whom he spoke were comparatively well off for a brief period; but it not unfrequently happened that they suddenly found themselves sinking into a condition of abject poverty. He affirmed that the Members of the Government had neglected their duty with respect to the Irish fisheries in a most remarkable manner; and, as marking his disapproval of the course which they had followed, he moved to reduce the Vote by £3,000. If that sum was no longer of use to the Scotch Members, let it be given to Ireland, and let Irish fish be branded, in order that they might acquire the same reputation as the Scotch herrings enjoyed.

Motion made, and Question proposed,

"That a sum, not exceeding £7,848, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Fishery Board in Scotland."—(*Mr. Parnell.*)

MR. MITCHELL HENRY said, he could never consent to act upon the principle on which a reduction of the Vote had just been proposed to the Committee. This money did a great deal of good to a poor population in Scotland. There was exactly the same kind of population in Ireland, who deserved encouragement in a similar manner. He agreed with his hon. Friend the Member for Meath (Mr. Parnell) in his desire to obtain some advantages for the poor Irish fishermen; but he would be no party to reducing a Vote which was productive of nothing but good to Scotch people, merely because there was not exactly the same thing in Ireland. Let the Irish Members endeavour, certainly, to get Irish herrings branded, and to obtain the establishment of a Fishery Board in their own country. In that endeavour he believed they would be aided by the Scotch Members, and he had no doubt that if they put their shoulders to the wheel, and were united, they would realize what they desired; but he would think it wrong to reduce the Vote simply because of the reasons which had been stated by the hon. Member for Meath (Mr. Parnell).

SIR JOSEPH M'KENNA hoped that his hon. Friend the Member for Meath (Mr. Parnell) would not deem it his duty to persevere with his Motion for a reduction of the Vote. There was one particular point in connection with this matter which he desired to clear up. The Scotch system of branding was no longer a charge on the State. The sum by which his hon. Friend would reduce the amount now proposed to be voted, was contributed to the State through the fees paid to the branders. He quite agreed that it would be advantageous if the branding of herrings were extended to Ireland, and he had no doubt that the Scotch Members would support their Irish Brethren in this matter, as in everything that was fair their Irish Brethren had supported them; but he thought that the best interests of both countries would be consulted by not objecting to the Vote at present. He quite agreed, however, as he had indicated, with the reasons which had actuated the hon. Member for Meath in the course he had taken.

MR. YEAMAN said, he did not see why the same justice should not be done to the Irish fisheries as had been done in the case of the Scotch. Let a fair trial be made by sending two or three inspecting officers to the different stations in Ireland while the fishing was going on. The officers could supply the curers at those stations with rules and regulations in regard to the curing of fish, and they could mark out for them the exact size of barrels to use. The expense of doing this would be but small, and the people of Ireland would be enabled to prosecute a branch of industry which he believed would be of great value and advantage to them. It would only be right, in his opinion, to place the Irish fisheries on the same footing as those in Scotland; and he had no doubt that if that were done there would be found to be a surplus in connection with branding in Ireland as there was at present in Scotland. With regard to the question of harbours, he quite disapproved of large grants being given by the Treasury for the erection of fishing harbours at Wick, Anstruther, or other places. But the Government had undertaken certain engagements; they had expended something like £19,000 upon one particular harbour. At the same time it would be manifestly unfair for them to refuse to fulfil their obligations with the authorities in Anstruther. As to Wick Harbour, he did not know how many thousands of pounds had been expended upon it; but it was now, if not a complete wreck, at least a wreck to a very considerable extent. These, however, were not harbours of refuge in the proper sense of that term, as the hon. Member for the Kirkcaldy Burghs seemed to suppose, but simply harbours for the purpose of protecting fishing boats when they came in from sea, and their support should be the result of the native industry of the people. He objected very much to any mere reduction of the Vote. If there were to be any diminution under this head of the Estimates, let it take the form of doing away with this particular grant altogether; but he believed that, even if it were done away with, the trade in Scotland would prove in future as successful and as prosperous as it was at the present time.

MR. PARNELL desired to advert for a moment to the observations which had been made by the hon. Member for Galway (Mr. Mitchell Henry). His hon. Friend had said that they must not take away this Vote from Scotland because they desired a similar grant for Ireland. He could not have ventured to suggest that it should be taken away from Scotland, had not the Scotch Members themselves distinctly told the Committee that they did not want it. ["No, no!"] On this occasion, and on several previous occasions, the Scotch Members had informed the Committee that branding was a disadvantge to their country. ["No, no!"] No! Why, the hon. Member who first drew attention to this matter to-night distinctly stated that the brand was an injury to Scotch fish; that those fish had now acquired a sufficient reputation, that the present branding system was not required, and that, therefore, it was not necessary it should be any longer kept up. He had taken the hon. Member at his word, and he had said—"Give to us this money which you do not require for yourselves, and let us spend it for the purpose of improving our fisheries." That, surely, was a sensible proposition. He asked that money, not needed in Scotland, should be given to Ireland, in order that Irish herrings might acquire the reputation in the markets of Europe which Scotch herrings now possessed, and that by the same means. This, he repeated, was an intelligible proposal, and did not at all partake of the nature which the hon. Member for Galway had attributed to it. He did not grudge the money to Scotland, but the Scotch Members said that Scotland did not want it. Ireland did, and he should press his Motion to a division.

Mr. MITCHELL HENRY said, previous divisions had shown whether the Scotch Members desired this money or not. It was perfect error for his hon. Friend the Member for Meath (Mr. Parnell) to say that those hon. Gentlemen wished that this grant or other grants of a similar character should be withdrawn. Over and over again the hon. Members referred to had voted in favour of their maintenance. No doubt, there might have been one or two exceptions. There was, for example, the right hon. Gentleman the Member for Montrose (Mr. Baxter) who first brought up the question on the ground that the existing state of matters was an interference with free trade. That right hon. Gentleman introduced the subject several years ago; there was a division upon it then, there had been divisions since; and the Scotch Members then, as now, would be found to have voted in favour of the grant. Not only so, but to talk of the Scotch Members giving Ireland this Vote was absurd. What power had the Scotch Members to give this or any other money to Ireland? To say that those hon. Members had any such power was simply to trifle with the question. The Scotch Representatives had no more authority over the £3,000 than his hon. Friend the Member for Meath himself. The Vote must be proposed by the Government, and hon. Members might, if they liked, protest against it; but he thought they would be adopting a very foolish policy if they did so. The policy which the Irish Members had always followed was to support these grants to Scotland, while endeavouring to get similar grants for Ireland. They had never introduced the principle of cutting down the advantages which were given to a weaker portion of the Kingdom—Scotland—in order to obtain that which they desired for themselves. Those advantages might possibly be cut down speedily enough, if the course which certain hon. Members recommended were acted upon. England governed Scotland, as well as Ireland, and he thought it would be most unwise to inferfere with the few advantages which the unity of Scotch Members had enabled them to attain and to retain.

Mr. GRAY said, it did not appear to be generally recognized that the only way in which the opinion of the Committee could be tested on this question was by moving a reduction of the Vote. The hon. Member for Galway (Mr. Mitchell Henry) had said that the matter had been voted on again and again. In that case, the opinion of the Committee must have been taken on a similar question to that which was now before it—namely, on a proposed reduction of the Vote. No hon. Member could of himself propose a substantive Vote of money; the proposition must come from the Government. It was not from any hostility to a particular grant being given to Scotland, but because of a desire to protest against the inequality of the present system, that it was now sought to test the opinion of the Committee. If the grant were useful for Scotland, a similar grant would be useful for Ireland. If it were not useful for Scotland, what harm would be done to that country by abolishing it? He was astonished that the discussion should have reached its present stage without a single Member of the Government having said a word on the subject. He should like to hear from the Secretary to the Treasury an answer to two questions—If this were a useful expenditure of public money in regard to Scotland, how could the exclusion of Ireland from a similar advantage be justified? If it were a useless expenditure with respect to Scotland, how could its continuance be justified?

MR. RAMSAY said, the hon. Member who had just spoken could not have heard the whole of the discussion. There had been an expression of opinion from the Treasury Bench on the question of branding. The Committee had now been debating one and the same Vote for an hour and 20 minutes, and he thought that during that period there had been a waste of time such as he had never before witnessed in the House. He would point out to those who so very frequently addressed the Committee, that one of the effects of their system of criticizing the Estimates was to prevent hon. Members from making objections on points that should really be raised in discussing the Votes. For himself, he had been restrained from expressions of opinion on different items solely by the time which had been occupied by preceding discussions.

MR. GRAY thought the Committee had listened to four or five speeches that evening from the hon. Gentleman who had just sat down, and who protested against a waste of time. He (Mr. Gray) himself had only occupied a few minutes; and, that being so, the Committee could judge as to who had wasted time. The hon. Gentleman had said that a statement on the subject under consideration had been made from the Treasury Bench. It was not on the general question of branding that he desired an expression of opinion from the Government. The point was one of principle—why should that which was conceded to Scotland not also be given to Ireland? and it was upon that point he should like to hear something from the Treasury Bench.

MR. KING-HARMAN remarked that this question of branding was one of the greatest importance to Ireland. The trading portions of the community in that country were deeply interested in it, and he hoped that due consideration would be given to it by Her Majesty's Government.

SIR HENRY SELWIN-IBBETSON said, the only reason why he had not risen sooner to notice the remarks of hon. Gentlemen from Ireland was, that it appeared to him they had been discussing a Vote which did not apply to Ireland at all. The Vote had simply to do with the branding of Scotch herrings, and the question was whether a sum of money should be placed in the Estimates in connection with that object. Reference had been made to previous divisions on the subject. Previous divisions had certainly been taken; but those divisions had not been as to whether this grant should be extended to Ireland, but as to whether the Scotch Members wished that it should be continued for their own country. That was the issue on which discussions had arisen. When they came to the case of Ireland on its own merits, he should be prepared to express an opinion on the part of the Government; but on what was a purely Scotch question and a purely Scotch Vote, he had already given his opinions to the Committee at some length. He confessed that he failed to see how the question of a Vote which could not, by any reduction, be applied to Ireland, could properly be brought into the present discussion. Let the matter be raised in a practical form, and at a proper time, and he should then be prepared to state his views upon it.

MR. MELDON said, he could not agree with the hon. Baronet the Secretary to the Treasury, that the question, as connected with Ireland, had not been raised on this occasion in a practical form. He thought it had been raised by the hon. Member for Meath (Mr. Parnell) in a very practical form. They had heard a good deal in that House about levelling up and levelling down. He was in favour, as a rule, of levelling up; but when attempts in that direction failed, he was inclined to adopt the principle of levelling down. That being so, he thanked his hon. Friend who represented Meath for having raised the question in the manner he had done. The fact that herrings were branded for Scotland and not for Ireland had an injurious effect upon the Irish article in distant markets. The Government brand was frequently regarded as the only test, and it was the want of it which excluded the sale of Irish herrings altogether in some of these markets. In addition to that, it was an obvious injustice that a system which existed in Scotland, and which the people of Ireland desired, should not be extended to the latter country. The Scotch Members said, however, that the branding system was more injurious than beneficial to the trade in Scotland, and that their herrings had acquired such a reputation that they did not wish the brand continued. But why not give the brand to Ireland, where it was desiderated, in order that Irish herrings might have a chance of competing fairly in distant markets? For years the Irish Members had been fighting, in order, if possible, to obtain some relief and consideration with respect to the fishery laws in their own country; but they had, so far, been wholly unsuccessful. It was obvious, however, that there ought not to be protection given to one part of the Kingdom and not to another. The subject had now been brought before the Committee in the most practical way, and he could not agree with the hon. Baronet who preceded him—that the question of Irish branding had nothing whatever to do with the Vote under discussion. With reference to what had fallen from the hon. Member for the Falkirk Burghs (Mr. Ramsay), that hon. Gentleman was always ready, whenever the matter of refusing a Vote for Ireland was concerned, to waste as much time as possible; but he protested against the assertion that time was lost or wasted in any way when hon. Members raised a question like the present, involving a great principle. He had been in attendance during the greater part of the evening. He had derived a good deal of benefit from the discussion which had taken place, and he did not think that one moment of the time of the Committee had been uselessly employed.

Mr. M'CARTHY DOWNING said, that in 1874 a Motion was carried by a majority of 2 in favour of affording support to the Irish fisheries, and the result was that the Reproductive Loan Fund, which was used for various useful purposes, was handed over to the Commissioners for the purpose of encouraging the fisheries of Ireland. What had been the result? It had been a loan, not for the purpose of the fisheries, but to enable broken-down tenants to pay their rents. It was asked why did they not move a Vote of money to be given for the branding of herrings in Ireland? The reason was they had got no herrings to brand. They all knew very well that the herrings had abandoned the Irish coast, and the idea of taking from Scotland the fees it received, because they had herrings and Ireland had not, was a most extraordinary one. He, for one, would be no party to the doctrine that Scotland should be deprived of what she got. He would rather be in favour of increasing it; and, when he found Ireland had got herrings to brand, he would join in asking the Government to give them a grant.

Mr. PARNELL protested against the assumption of the Scotch Members, that they were the only persons entitled to speak on that subject. It would be within the knowledge of everybody who had attended this evening, that by far the larger portion of the time of the Committee had been taken up by the Scotch Members, who had made speeches of a most stupid character, in a language which nobody could understand.

Mr. PULESTON rose to Order, and submitted that the hon. Member for Meath (Mr. Parnell) had no right to use such language towards the Scotch Members.

The CHAIRMAN: I did not understand the hon. Member for Meath to attribute any motives; but the expression he has used with regard to the pronunciation of the Scotch Members appears to be somewhat irregular.

Mr. PARNELL had merely said he could not understand their language, and before the next Scotch discussion came on, he would endeavour to learn it.

Sir ALEXANDER GORDON said, not a single word had been uttered which any hon. Member of the House could not understand.

Mr. PARNELL promised, by that time next year to remove any further cause of offence, by living such a time in Scotland that he would be able to learn the language. But they were now discussing the Vote for the branding of Scotch herrings, and the Government had been asked to give the Committee some reason why such a Vote should be continued; but the Government had neither told them the Vote was right or wrong. The Secretary to the Treasury had said he could give no reasons at all for the Vote; and, under those circumstances, the Committee was entitled to reject it. The Chief Secretary for Ireland had been present during the whole of the discussion, but he was, apparently, asleep, and he had not told them why if

Scotland was to have this money, a similar Vote should not be made to Ireland. He protested against this system of partial legislation.

MR. SULLIVAN pointed out the injustice and impolicy of arraying Scotland against Ireland in this matter. Because Ireland did not receive a similar Vote, that was no reason why they should take the money away from Scotland. He had been sent into the House from Ireland to pursue towards the people of this country a policy of conciliation, and the kinder and wiser course was to encourage every just and beneficent measure for the fishermen of Scotland, rather than to pursue the ill-natured policy of endeavouring to deprive Scotland of the Vote simply because Ireland had not got a similar one.

MR. O'CONNOR POWER said, the Scotch fishermen had no right to Irish and English money, when the Scotch Members refused to grant English, Irish, and Scotch money to the Irish fishermen. He, as an Irish Member, could not sit still and see such a thing done. What he had been looking for during the last hour was for some of the Scotch Members to get up and say—"Do not touch our privilege, and when you ask for a similar Vote for Ireland we will support you." With the exception of the hon. Member for Dundee (Mr. Yeaman), no such expression of intention had fallen from the Scotch Members; and he, therefore, thought his hon. Friend was correct in the course he was pursuing in objecting to this Vote. The right hon. and learned Lord Advocate had preserved a suspicious silence, and their course was perfectly plain. As they could not now bring forward a direct proposal for a grant of this kind for Ireland, the only way they had to express their dissatisfaction at the way they were being treated was by moving the Amendment. Allusion had been made to the Reproductive Loan Fund, and as regarded that, he wished to say that it was not English and Scotch money, but it was wholly Irish money.

MR. M'CARTHY DOWNING said, he should not take the hon. Member who had just sat down as his model, nor did he want a character from him amongst his constituents. He was in the habit, whenever he got up to address the House, not of advising, but of insulting, hon. Members by his personally offensive observations. Now, with regard to the Reproductive Loan Fund, the hon. Member showed his ignorance by saying it was Irish money. It was the money of the charitable and philanthropic people of England, got up at a time when Ireland was suffering great distress, and what remained of the sum not required was vested in trustees for public purposes in Ireland. Not a single farthing of the money originally belonged to the Irish people. So much for the hon. Member's knowledge of the history of that matter. Now, as to the question before the Committee, he repeated there was no injustice in this grant being made to Scotland, and it was only delaying and trifling with the time of hon. Members to object to it, because Ireland had no substantial grievance regarding it. The objection which had been raised was simply for the purpose of preventing the Business of the House being carried on, and he, as an Irish Member, had no hesitation in expressing that opinion.

THE CHAIRMAN: The discussion seems to be turning away from the particular subject before the Committee.

MR. MITCHELL HENRY said, the omission of this Vote had been moved on the express ground that the money was not wished for by the Scotch Members.

MR. PARNELL begged to say that he had not moved his Amendment merely on the ground that the Vote was not wished for by the Scotch Members, but he had given other grounds; though, as far as they had expressed themselves, the Scotch Members had distinctly said the Vote was not useful to them.

MR. MITCHELL HENRY said, it was in the recollection of the House that the distinct and only ground upon which it was proposed not to grant this money was because it was not appreciated in Scotland, and the Scotch Members did not wish it to be continued. The hon. Member distinctly stated that if the Scotch Members had desired the Vote to be continued, he would not have moved its rejection. Now, it was perfectly clear the Scotch Members did want the Vote, and, therefore, the hon. Member ought not to press his opposition.

MR. GRAY considered the hon. Member for the county of Cork (Mr. M'Carthy Downing) had made a very strong and undeserved attack upon the Irish Members who opposed this Vote. There was no desire on his part, or that of any other Irish Member, to waste the time of the Committee. They had raised a perfectly legitimate issue, and they had asked the Government to pronounce upon it, and the Secretary to the Treasury had told them he would be prepared to give an answer, if the point was raised on the Irish Votes. Now, the hon. Baronet must be aware that the Rules of the House would not allow them to raise it on the Irish Votes. The right hon. Baronet the late Chief Secretary for Ireland was present, yet he had given no expression of opinion on the subject; and, if there had been any waste of time, it was due to the fact that, having raised a perfectly legitimate issue in a fair manner, they had received no answer. He therefore protested against the insinuations which had been made by the hon. Member.

Mr. MELDON merely wished to add one word, which was that this question had been persistently and earnestly raised every year since 1874, when they succeeded, by a majority of two, in establishing the principle that some help ought to be given to the Irish fisheries. This disposed of any charges which might be made against their motives.

Question put.

The Committee *divided;* Ayes 10; Noes 142: Majority 132.—(Div. List, No. 149.)

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL—[Bill 44.]

(*The O'Conor Don, Mr. Richard Smyth, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, Mr. Redmond.*)

COMMITTEE. [*Progress 21st May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 6 (Commencement of Act).

Mr. O'SULLIVAN said, that they had told the supporters of the Bill that if it should come on at any fair and reasonable hour they would be willing to discuss it, but if not they would not go into it. It was 4 o'clock this morning when they had got to bed, and the Chairman would not therefore be surprised that he begged to move that he (the Chairman) do report Progress and ask leave to sit again. They had a Scotch Bill on Tenant Right being brought on by Scotch Members which had had to give place to the Sunday Closing Bill, although it was of greater importance than the latter, on which Irish Members were so much divided.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. O'Sullivan.*)

Mr. ONSLOW supported the Motion, thinking it most unreasonable that they should have to go on with that discussion after being so late the night before. The hon. Member for Roscommon put it down night after night, and they had to come down and go into the Amendments. He hoped the Committee would not allow the Bill to be forced down the throats of an unwilling minority—a very strong one. He trusted the hon. Member in charge of the Bill would agree that they should all go home at a reasonable hour, and take it some day next week before 12.30.

The O'CONOR DON said, that the hon. Member was very fond of telling him to take the Bill on "some" day, without telling him on what day, and knowing full well that he could not command a day. It had been very well understood that the Government had, by the very fact of placing the Bill where they had, announced their intention of giving facilities that evening for proceeding with it. His right hon. Friend the Chancellor of the Exchequer had given him an assurance that evening that at 11 o'clock Supply should be reported, and that they should be able to get into consideration of that Bill in Committee. [Major O'Gorman: It is half-past 12 now.] The discussion on the Votes had, of course, prevented the Government from doing so; and he did not mean to accuse them of a breach of faith. The result, however, was, that the Government had given him no facilities that evening. But was the hour at which they had arrived an unreasonable hour for taking up a Bill in the hands of a private Member? The course altogether pursued with regard to that Bill from the first moment showed the object which its opponents had — they had always been saying that they were anxious to give it a fair discussion—but the whole course of their conduct showed that they wanted to defeat it that Session, as previously, by dilatory Motions. And he had again to appeal to the Committee to stand by him in resisting them; and to show that the Bill of a private Member was not to be thus placed at a disadvantage. It would be perfectly impossible for him to consent to the proposal made to him.

SIR HENRY SELWIN-IBBETSON could not allow what had been said to pass without comment. He understood the hon. Member to say that the Chancellor of the Exchequer had pledged himself to stop Supply at 11 o'clock.

THE O'CONOR DON said, he had intended to state that he did not in any way blame the Government.

SIR HENRY SELWIN-IBBETSON was very glad indeed that he had misunderstood the hon. Gentleman, because the Committee would be aware that what had happened had not been the fault of the Government.

SIR JOSEPH M'KENNA hoped that the hon. Member for Limerick (Mr. O'Sullivan) would not persist with the Motion to report Progress. They had a great deal to do; and, although they might not have a division on the Amendment, they might clear away some objections and difficulties, and perhaps come to a decision on a future evening.

MR. M'CARTHY DOWNING thought they might very well have a discussion on that clause—it was not too late.

MAJOR O'GORMAN hoped his hon. Friend (Mr. O'Sullivan) would not allow any discussion whatever. They should accept no terms whatever from those people. The Half-past 12 o'clock Rule was then being violated. They might be told that they were in Committee, and therefore it could not be considered an opposed Bill. Well, they would oppose it.

MR. MURPHY said, that the Amendment was a very important one, and might be fairly debated; it was only reasonable that they should have a discussion upon it. [*Interruption.*] The hon. Member for Roscommon, having had a discussion upon it, would feel it his duty to go further; but, if he persevered, he (Mr. Murphy) should feel it his duty to go into the Lobby against him.

MR. O'SULLIVAN had told the supporters of the Bill, that if it came on at a reasonable hour they would discuss the Amendment, and he intended to keep his word, and did not intend discussing it at that unreasonable hour. If half the trouble taken with that Bill had been taken with the Land Bill, they might have had it passed before that. With regard to the observations of the hon. Member for Roscommon, it was a very remarkable thing that the Bill of the hon. Members for Down and Downpatrick had passed without opposition, although it had been fourth on the Paper, and that before them had been eighth. The present Bill was then second on the Paper. He did not see why it should be forced on any more than any other Bill.

MR. J. LOWTHER said, that the reason why the Bill occupied a higher position on the Paper was that the Government had undertaken to afford facilities for its progress. It certainly was perfectly true that, owing to circumstances to which he need not refer, they had reached the Bill at a later hour than had been expected; but the hon. Member for Roscommon had very fairly stated that the Government had not been responsible. The hon. Member for Limerick county (Mr. O'Sullivan) had an Amendment on the Paper which he was anxious to discuss; and the hon. Member for Sligo county (Mr. King-Harman) had one which the hon. Member for Roscommon had admitted to be important. It might be very reasonable that they should discuss the Amendment of the hon. Member for Limerick, because the hour really was not a very late one, and then report Progress, so as to enable the important question raised by the hon. Member for Sligo to be debated.

MR. O'SULLIVAN said, that if the hon. Member for Roscommon was satisfied with the suggestion made, he would then give in and withdraw his Amendment.

THE O'CONOR DON said, that it would be simply an absurdity. Anyone who knew the character of the Amendment knew that such a proposal was mere trifling.

Mr. O'SULLIVAN could not see that it was trifling. If the hon. Member did not accept the proposal, he must go to a division.

Mr. KIRK considered that if the Government had broken faith with the hon. Member for Roscommon, still men had not a right to stop out of their beds till 6 in the morning to watch that Bill; and, therefore, the hon. Member for Limerick county should press the matter to a division.

Mr. MACARTNEY said, that some hon. Members appeared to forget that the Half-past 12 o'clock Rule applied to Bills in their early stages—not when in Committee.

Question put.

The Committee *divided*:—Ayes 23; Noes 95: Majority 72.—(Div. List, No. 150.)

Mr. O'SULLIVAN repeated his offer to the hon. Member (the O'Conor Don), that he should agree to report Progress after the next Amendment had been discussed, which was his own. He moved, at page 2, line 34, after "on," to add "the first day of January, one thousand eight hundred and eighty," and leave out the date named in the Bill. As the clause stood, the Bill would come into operation very shortly after the close of the present Session of Parliament—namely, on the 1st of October. That would be too sudden for so important a change as that which the measure contemplated. There were many parts of Ireland where the people would know nothing about the alteration in the law, and they would be taken by surprise if the Bill came into operation so soon. There were other reasons for postponing its operation. At present, the people resorted on the Sunday to places of recreation within two or three miles of the towns. These places of recreation would be shut up by this Bill, and the proprietors compelled to make fresh arrangements. He held it to be wrong to close these all at once, and, therefore, it was only fair and reasonable to give them an opportunity of getting rid of their little stock-in-trade, and setting up in some other business. He resisted this piece of class legislation in the interest, not of the wealthier traders, but of the poorer ones, including those who were non-electors. Why, he asked, were hon. Members pressing this Bill forward, night after night, in this way? It was, he believed, because a re-action was setting in against the Bill in the country, and they knew that if they did not push the measure forward in the present Parliament, they would have no chance of success with it in the next. No mention was made by hon. Members from Ireland of this Bill at the last General Election, excepting by two Members for the city of Dublin, both of whom had lost their seats. Only a small portion of the Home Rule Members had voted for this Bill in the course of the year. The greatest support it had received came from the Sabbatarian North of Ireland, where the promoters of the Bill were obliged to get Scotchmen to advocate the measure, because they failed to obtain Irishmen for the purpose. Outside Parliament the Bill had the support of the wealthy classes; but was it supported by the men who made use of public-houses in Ireland on the Sunday? He hoped the Committee would accept the reasonable Amendment he proposed.

Amendment proposed,

In page 2, line 34, to leave out the words "of October, one thousand eight hundred and seventy-eight," in order to insert the words "day of January, one thousand eight hundred and eighty."—(*Mr. O'Sullivan.*)

Question proposed,

"That the words 'of October, one thousand eight hundred and seventy-eight' stand part of the Clause."

Sir JOSEPH M'KENNA suggested that the 1st of January, 1879, should be the date fixed for commencing the operation of the Bill. It would not do to force this measure unduly upon the people, as he feared in that case it might lead to some turmoil. A great majority of the humbler classes had been opposed to the principle of the Bill. It appeared a hardship to those classes that legislation of this kind should be promoted by those who enjoyed all the advantages of well-filled cellars, or of clubs. It was well known that this measure had been promoted by an organized committee, employing salaried persons to travel from place to place; and they had been compelled to engage the services of Scotchmen to advocate a measure for Ireland. Experience did not commend the Forbes-Mackenzie Act to the notice of Parliament, except on Sabbatarian grounds; for, notwithstanding the passing of that Act, the consumption of intoxicating liquors in Scotland had very greatly increased during the last 25 years. If this Bill were passed for Ireland, in all probability it would lead to more drinking in private than prevailed at the present time. He could not support his hon. Friend's Amendment, because it seemed to be trifling with the Committee to propose postponing the operation of the Bill to so distant a day. He, therefore, should be prepared, at the proper time, to move that the date be the 1st of January, 1879.

MR. R. SMYTH, while agreeing that the alteration suggested by the hon. Member who had just sat down was a reasonable one, pointed out a grave objection to it. The whole matter had been considered at great length in the Select Committee last year, and they had, with the entire concurrence of the late Chief Secretary for Ireland (Sir Michael Hicks-Beach), agreed to fix the date as it now appeared in the Bill, for this reason, that it corresponded with the date of the annual licensing sessions. If the date were altered to the 1st of January—two months after the holding of those Sessions—it was obvious that great inconvenience would arise with respect to licences taken out by publicans. As the question had been fully gone into by the Select Committee, he thought it would be much better, and far safer, to adhere to the date they had fixed.

MR. O'SULLIVAN remarked, that when the Licensing Bill of 1872 was passed, 12 months' notice was given to the trade of the contemplated change in the law. However, to show that he was willing to meet his hon. Friend in this matter, he would alter his Amendment, if they agreed to fix the 1st of March, 1879, as the date when the Bill should come into force.

MR. O'CLERY observed, that the interest which one side appeared to have in the operation of this Bill was so obvious, that the only way to meet their opposition as it deserved to be met was by tiring it out.

MR. MURPHY thought the offer of the hon. Member (Mr. O'Sullivan) might very well be considered; because there would be no difficulty in the publican getting a licence next October to last until the 10th of March, 1879, instead of the 10th of October following.

MR. KIRK, referring to the remark of the hon. Member for Wexford county (Mr. O'Clery), that parties who brought forward Amendments, and who were opposing the Bill, did so because they had an interest in the liquor traffic, said, the same observations had been made on more than one occasion, and, amongst others, by an hon. Gentleman opposite. He repudiated all these assertions.

THE CHAIRMAN reminded the hon. Member of the Question before the Committee.

MR. KIRK was sorry to be out of Order, but his feelings had carried him so far as to transgress the Rules of the House. The Amendment before the Committee ought to be adopted. The Bill was a confiscatory and revolutionary measure; and he deprecated its sudden enforcement—for there were many small traders, selling whisky and beer in the country districts, who would require some time to enable them to dispose of their businesses, which this Bill would so seriously disturb. They might be compelled to emigrate to America. Two months' notice was insufficient. For his part, he hoped it would be a long time before the labourer brought home his bottle of whisky on a Saturday night, for consumption on the following day, because he could not get it on Sunday. The Amendment, far from being of a trifling character, was a fair concession.

THE O'CONOR DON had no particular preference for the date named in the Bill, excepting the fact that the annual licensing sessions met in October, and the late Chief Secretary for Ireland (Sir Michael Hicks-Beach) was of opinion that the 1st of October was the time at which the operation of the Bill ought to commence. It would be a disadvantage, and not quite fair, to place upon a publican the necessity of taking out a seven days' licence for a whole year, when, according to this Bill, the licence would operate only for a few months. Unless he heard some strong reasons for the proposed alteration, he would not be justified in consenting to change a date, which had been chosen by a Select Committee under the guidance of a Cabinet Minister.

Sir JOSEPH M'KENNA referred to a remark which an hon. Member had made to him, that it would be just as well to pass the Bill and let the people feel it at once. That observation did not altogether commend itself to him, because he would rather that the people should accept the measure, if they really needed it. He urged that the date should be the 10th of March next.

Major O'GORMAN said, he wanted to ask the Committee this question. If a Resolution were proposed, declaring that after a certain day, Messrs. Bass and Allsopp should sell no more of their goods, was there one single Member of that House that would vote for such a measure, and agree to confiscate the property of those gentlemen? And, after all, was this not a confiscatory Bill? Were the poor people who, under the ægis of the law of England, had furnished themselves with a certain quantity of liquor for sale—were they to have their property confiscated, without any trial whatever, and simply because a parcel of Home Rule Coercionists —persons who came there from Ireland as Representatives, but who were never elected in 1874 for the purpose of passing such a Bill as this—and who, if such a measure had been proposed by them in 1874, would have been whipped out by their constituencies? In 1874 there was no such question brought forward as one for the closing of public-houses on Sunday in Ireland; but since that period, these miserable people had come to the House asking for a Bill. ["Order!"]

The CHAIRMAN: The hon. and gallant Gentleman will see that the expression, "those miserable people," is scarcely a proper one to use. I trust he will withdraw it.

Major O'GORMAN said, he would withdraw it. Another adjective had now gone from them, and he did not know where they should get adjectives when they wanted them. He said so the other night, and was misrepresented in every paper in London. He said they should soon find themselves left without any suitable terms for expressing their thoughts on such matters. They prayed every year for freedom of speech, but would soon be without any freedom of speech at all. ["Oh, oh!"] He affirmed it. He repeated it. He said they were approaching a time when they should not be permitted a single adjective at all—substantives perhaps! The House was, in fact, becoming a school for teaching the use of substantives, since they must not express their thoughts with the help of adjectives. He said that these publicans were entitled to toleration. They had furnished themselves with liquors to be dispensed to the people of Ireland, according to Act of Parliament, and he asked this honourable Committee whether it was fair or just that they should be deprived of the benefit of their capital? He reiterated that if this Bill had been one to confiscate the property of Messrs. Bass and Allsopp, there was not a Member of that House that would vote for it, except the Home Rule Coercionists.

Mr. COURTNEY said, he thought it would be expedient for the hon. Member for Roscommon (the O'Conor Don) to accept the Amendment. ["No, no!"] Well, hon. Members should remember that the Bill was a considerable experiment, in the absence of any certainty as to the feelings that would be excited when it came into operation. The hon. Member for Roscommon said he was comparatively indifferent, but that the 1st of October was preferred on the ground that these annual licences were then granted. Was that a substantial ground? Let them take the case of a man renewing his licence in October, with the knowledge that this Bill would come into operation on the following March. It would be optional for him to take out a seven days' licence, knowing that it would be operative for six days only after the Bill came into operation, or he could take out a six days' licence, and so, as it were, bring the Bill into operation at once. He had that option, and there was, therefore, no hardship; and, as there was no hardship, he wished the hon. Member for Roscommon would accept the Amendment.

Mr. A. MOORE hoped the hon. Member for Roscommon would not yield to the suggestion made to him. As to the "poor people" on whose behalf an appeal had been made by the hon. and gallant Member for Waterford (Major O'Gorman), he would observe that this

Bill had been before the House these three years, and had only been defeated by the most monstrous opposition. If they did not bring it into operation in October, they would make complete confusion throughout the country. It was true, however, that the traders need not be wronged by taking out a seven days' licence.

Mr. O'SULLIVAN observed, that he was unable to see any argument in the remarks made against the Amendment. It was perfectly easy to arrange for the taking out of a six days' licence, to expire on the 10th of March. It had been put forward by one or two Members that the opposition to the Bill came from those engaged some way or other in the trade. He did not consider such remarks any argument in favour of the Bill; but as he was engaged in that trade, he wished to say he was neither ashamed or afraid of his business, no more than he was of his opinion or his politics, and he would add that it would be well for England, and for Ireland, too, if all her sons were engaged in some trade or profession, for then they would not have any idle cads living on the industry of honest men. Why could they not have such a six days' licence? When the Bill was passed in 1872, 12 months' time was given to the English trade, and they were now only asking the Committee to give six. He did not think it would be manly in him to see a branch of industry which had been licensed by the House trampled under foot without making some effort to defend it. There was not the least proof that drunkenness prevailed extensively in Ireland on Sundays, and this was not a temperance movement, but a purely Sabbatarian movement. He must press his Amendment, that the Bill should not come into operation before the 10th of March, 1879.

Mr. MURPHY wished the Committee to understand that no practical harm could result from the Amendment. No one could refuse to pay the Excise the amount of the licence, and if the Bill came into operation on the 10th of March, as the hon. Member for Limerick suggested, there would be no contention between the Excise authorities and the publicans. He might take out a licence on the 10th of March, and then could not come up again before the 10th of March following; but if he took out a six days' licence, he would not be able to take advantage of the *bonâ fide* traveller clause at all. No harm could be done, and he would suggest to the hon. Member for Roscommon that he should accept the hon. Member's Amendment.

Sir JOSEPH M'KENNA thought that if the hon. Member for Roscommon had given his attention to it, he would accept the Amendment, as it really offered a permission to the trader to bring the Bill into operation in his own case as speedily as possible. If he took out a six day licence, he would be in the position of one placed under the Sunday-closing principle from the first moment of his licence beginning to run. If he did not do that, he would have to take out a full seven day licence, and the Act would come into operation when only half the licence had expired, and he would then be practically under a six day licence. It appeared to him that the hon. Member's Amendment gave the trader alternatives which covered the whole ground of the question. He did not wish to exaggerate appearances, but unfavourable signs had been manifested in Ireland with respect to the Bill, which he should be sorry to see realized; but he would warn the House against adopting this measure too suddenly, lest they should drive those whom it affected to form other organizations.

The O'CONOR DON said, he should not be unwilling, personally, to accept the Amendment, but he did not know how far the opponents of the Bill would be disposed to appreciate this concession; and, moreover, he did not know whether the Attorney General would be willing to approve it from his own point of view.

Mr. J. LOWTHER wished to say he could see no objection to the Amendment. It had, he thought, been satisfactorily explained that no practical inconvenience could arise from it.

Mr. SULLIVAN remarked, that his hon. Friend the Member for Cork (Mr. Murphy), who now supported the Amendment, voted in the Committee for making the Bill come into operation in October.

Mr. MURPHY: Yes; but it was the October at the end of the year, not at the beginning. I so voted, because I thought the Bill should not come into operation before the trader had had a fair opportunity of exercising his business during the time for which he had paid his money.

Question put.

The Committee *divided:*—Ayes 59; Noes 39: Majority 20. —(Div. List, No. 151.)

Question proposed, "That the Clause stand part of the Bill."

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." —(*Major O'Gorman.*)

Mr. J. LOWTHER appealed to the hon. and gallant Gentleman the Member for Waterford (Major O'Gorman), to allow the clause to pass, after which Progress might be reported.

Mr. A. MOORE observed, that there were only two short clauses more, and that the Committee ought not to be brought down again for further discussions.

Sir JOSEPH M'KENNA thought the promoters of the Bill were pressing his Friends very hard. The Committee should be anxious to avoid unnecessary inconvenience to the poor trader, which had already been referred to. He said, let this clause pass, and then let Progress be reported.

Question put.

The Committee *divided:* — Ayes 9; Noes 77: Majority 68.—(Div. List, No. 152.)

Clause *agreed to.*

Clause 7 (Short title) *agreed to.*

Clause 8 (Extension of Act).

Mr. R. POWER said, there was no one who was more anxious to proceed with this Bill than he was; but it was most unreasonable that they should be expected to go on with it at that hour of the morning. This clause would raise a most important discussion, and he could not speak upon it in less than an hour and 20 minutes; and there were many others who were desirous of speaking upon the question. Hon. Members who had so much philanthropy and generosity, and who wished to see this measure adopted in Ireland, were anxious to see its beneficent effects extended to England, and finally to Japan and other places; and, therefore, they would like to speak upon this clause. His constituents took great interest in this measure. When he was returned for the city of Waterford, there were 13 candidates seeking for that honour. As the day of the contest drew near, they dropped off one by one, and only five went to the poll. Some hon. Member had said that this was not a test question at the last Election; but he declared most emphatically that, with him and his hon. and gallant Junior, it was made a test question. The representatives of the Sunday Closing Association waited upon them on that occasion, and they also waited upon three other candidates—one of whom was the present Member for the county of Waterford, another the right hon. and learned Gentleman the Attorney General for Ireland, and the other had not yet found his way into that distinguished Assembly. Six of the candidates pledged themselves to support Sunday closing, and two said they would give no pledge, but would exercise their own opinion on the question, and these two candidates were returned. The Home Rule Member for the county of Waterford was a candidate on that occasion; but he was defeated. What did the Sunday closers do? They issued the following circular to the people of Waterford—

> "We have to inform you that, if elected, the following candidates have agreed to support Sunday Closing:—James Delahunty, R. B. Osborne, and Edward Gibson. The Committee much regret that Mr. Power's and Major O'Gorman's replies are not favourable."

He need not remind the Committee what was the just and happy result of that Election. It would not be fair to go into the main question at that late hour. He thought that even the hon. and learned Member for Louth (Mr. Sullivan) could not comprehend so great and important an issue at that time of the morning. [Mr. Sullivan: It is quite early.] It was all very well to say "quite early," but he (Mr. R. Power) was positive the hon. and learned Member did not usually keep such late hours. If they were to be kept up till this time of the morning, night after night, they might as well give up going to bed altogether. This was a most unconstitutional proceeding —at all events, it was not good for the constitution—and, therefore, he must insist upon his right, and move that the

Chairman report Progress, and ask leave to sit again.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again." — (*Mr. Richard Power.*)

The Committee *divided:*—Ayes 23; Noes 57: Majority 34.—(Div. List, No. 153.)

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Major O' Gorman.*)

Mr. ASSHETON CROSS did not want to interfere in this matter, but he could not help remarking that they had arrived at a point at which it was impossible to apply this Bill to England. The Preamble said it should apply to Ireland only, and there could be nothing in Clause 8 that they could object to. He therefore hoped that the Committee would not bring the proceedings of this House into discredit, simply by pursuing this course of dividing upon a matter to which they would eventually agree. The Committee also should have some regard for the comfort of hon. Members, and not go on in that way.

Mr. SHAW agreed with the right hon. Gentleman. It had been suggested that the clauses should be gone through and the new clauses left for the next occasion. He was told, however, that that proposition would not be accepted; but it was certainly the right way out of the difficulty.

Mr. ASSHETON CROSS did not know that there was a doubt about the matter. He put it to the Committee whether that was not a fair compromise, and he certainly understood it had been accepted.

Mr. MURPHY understood that the suggestion that had been made was to be accepted; but now, to his surprise, he found that that was not the case. He should again ask the hon. Member for Roscommon, whether, if the 8th clause were passed, he would report Progress, or whether the promoters of the Bill intended to press the Bill further that night?

Mr. SULLIVAN thought that was too much. The offer of the compromise had been distinctly refused by the hon. Member for Cork's (Mr. Murphy's) own Friends.

Mr. MURPHY remarked, that there was not the slightest warrant for the statement of the hon. and learned Member for Louth. He stated that he (Mr. Murphy) knew that the offer had been refused. The hon. and learned Member should take care how he charged a Member of that House with such a thing. He (Mr. Murphy) never heard that it was rejected, or did he know that it was rejected now. He was surprised to hear the statement of the hon. and learned Member for Louth.

Mr. SULLIVAN retorted that the hon. Member for Cork (Mr. Murphy) surely must have heard the stentorian voice of the hon. and gallant Member for Waterford, who rejected the offer of compromise.

Mr. ASSHETON CROSS wished to recall the compromise to the recollection of the Committee. It was a fair compromise, and his right hon. Friend the Chief Secretary agreed with it. He should propose that the Committee take the division on the 8th clause, and then report Progress.

The O'CONOR DON said, he must recall to the attention of the Home Secretary that when this compromise was proposed it was refused by the hon. and gallant Member for Waterford. Three divisions had been taken since, and yet in none of those divisions did the right hon. Gentleman the Chief Secretary support the proposal which he himself suggested as a reasonable one. That, in his opinion, was unexampled conduct on the part of an Officer of the Crown. The Government had appealed to the promoters of the Bill to accept a compromise, but the Government did not support the proposal. The promoters were, therefore, not in any way bound by the offer. No one felt more than he did the undesirableness of carrying on discussions of this character; but were they to be brought down every night for such discussions. He would ask the Committee whether it was not much better to sit there until they had got rid of the Bill than be dragged down night after night in this way?

Sir HENRY SELWIN-IBBETSON protested that the Government had done its best to facilitate the progress of the Bill.

The O'CONOR DON meant the Chief Secretary for Ireland, and not the Government.

Mr. COGAN did not make the proposal for compromise in concert with the hon. Member for Roscommon, so he was in no way bound by it. He certainly had observed, with great regret, the conduct of the right hon. Gentleman the Chief Secretary for Ireland.

Mr. MARK STEWART suggested that, as the Committee had got into a dilemma, it would be best to pass Clause 8, and put the Bill down as the first Order on Friday. That was a fair suggestion.

The O'CONOR DON would most gladly accept such a proposal, but he thought it was more than he could ask the Government to give him.

Mr. P. J. SMYTH did not understand the reflections that had been made on the right hon. Gentleman the Chief Secretary. The offer was accepted; but why should they be driven into the necessity of going so often into the division Lobbies? They were brought there night after night, but every proposal made had been rejected by the hon. Member for Roscommon, who now avowed his intention to force the Bill through that night. He appealed to the hon. Member for Roscommon to let the Committee accept the offer of the Home Secretary and report Progress.

Mr. SULLIVAN: The compact was, that if the offer were accepted, the opponents of the Bill would withdraw their opposition; but the offer was rejected, and they had taken three divisions since, so that they could not now accept the proposition.

Mr. ASSHETON CROSS insisted that what was a fair compromise an hour ago was fair then, and as sensible men they had better accept it.

Mr. MELDON supported the compromise. The Government had acted in a most reasonable manner. It was true that the offer had been rejected and three divisions taken; it was a different thing when the Government, to whom they owed something, made such an appeal. If it were necessary, however, to force this Bill through Committee, he would go with the hon. Member for Roscommon.

Mr. COLE was a supporter of the Bill, but he thought the suggestion of the Home Secretary was most reasonable. He did not think the Bill ought to be forced through Committee. He was anxious that the Bill should pass; but there were hon. Members who felt strongly upon it, and it was unfair to press it too much.

The O'CONOR DON was sorry that when the offer was first made it was not accepted. He should like to say, with reference to the offer that came from the Government, that he hoped the Committee would on the next occasion discuss the new clauses. There really was only one clause of importance in the Bill and that had been disposed of.

Mr. P. J. SMYTH hoped no undertaking would be given by the Government. They all claimed the right of free discussion, and that was not to be infringed. A fair proposition had been made, and the hon. Member ought to accept the proposal and not attempt to impose conditions.

Mr. O'SULLIVAN had no objection to discuss the new clauses at any reasonable hour; but it was more than unreasonable to press them at this hour of the morning against the wish of a large minority, who deserved some consideration.

The O'CONOR DON did not feel justified in opposing the proposal of the Government; but, if he reported Progress after passing the 8th clause, they would have a fair claim on the Government to give them an opportunity of bringing the Bill on again at an early day.

Motion, by leave, *withdrawn.*

Clause *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Wednesday* next.

WAYS AND MEANS.

EXCHEQUER BONDS (NO. 2) BILL.

Resolutions [May 23] *reported,* and *agreed to:*—Bill *ordered* to be brought in upon the first three Resolutions by Mr. Raikes, Mr. Chancellor of the Exchequer, and Sir Henry Selwin-Ibbetson.

Bill *presented,* and read the first time. [Bill 186.]

CONSOLIDATED FUND (NO. 3) BILL.

Resolution [May 23] *reported,* and *agreed to:*—Bill *ordered* to be brought in upon the Fourth Resolution by Mr. Raikes, Mr. Chancellor of the Exchequer, and Sir Henry Selwin-Ibbetson.

Bill *presented,* and read the first time.

House adjourned at Three o'clock,
till Monday next.

HOUSE OF LORDS,

Monday, 27*th May*, 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Elementary Education Provisional Order Confirmation (Mickleover) * (92); Gas and Water Orders Confirmation * (93); Local Government Provisional Orders (Droitwich, &c.) * (94).

Second Reading—Metropolis Improvement Provisional Orders Confirmation (Bowman's Buildings, Marylebone, &c.) * (61).

Committee—Contagious Diseases (Animals) (88).

Third Reading—Elementary Education Provisional Order Confirmation (London) * (67); Elementary Education Provisional Orders Confirmation (Birmingham, &c.) * (68), and *passed*.

Royal Assent — Customs and Inland Revenue [41 *Vict.* c. 15]; Public Baths and Washhouses [41 *Vict.* c. 14]; Factories and Workshops [41 *Vict.* c. 16]; Adulteration of Seeds Act (1869) Amendment [41 *Vict.* c. 17]; Public Works Loans [41 *Vict.* c. 18]; Matrimonial Causes Acts Amendment [41 *Vict.* c. 19]; Local Government Provisional Orders (Abingdon, &c.) [41 *Vict.* c. xxxvii]; Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation [41 *Vict.* c. xxxviii].

THE EASTERN QUESTION—NEGOTIATIONS FOR A CONGRESS.

QUESTION.

VISCOUNT CARDWELL: My Lords, in the absence of my noble Friend Earl Granville, I rise to ask my noble Friend the Secretary of State for Foreign Affairs, Whether he can give the House any information as to the progress of the negotiations which have been going on between this country and Russia, and as to the prospects of a Congress?

THE MARQUESS OF SALISBURY: My Lords, I am not, at present, able to enter into details as to those negotiations. I can only say, that, within the last few days, the prospects of a Congress being held have materially improved.

THE EARL OF REDESDALE: Your Lordships will, probably, have seen in the newspapers a statement to the effect that Russia insists most positively on the cession of Bessarabia. Now, it appears to me that this is a matter of such intensei mportance, not merely in reference to the Treaty of San Stefano, but in regard to International Law, and all former Treaties, and the demand is, in itself, so preposterous, that not this country only, but every civilized country in the world, ought to protest against it.

THE DUKE OF SOMERSET: I rise to Order. I put it to your Lordships, whether a matter of such great importance should be brought forward without Notice?

CONTAGIOUS DISEASES (ANIMALS) BILL—(Nos. 22, 37, 76, 88.)

(*The Lord President.*)

COMMITTEE (ON SECOND RE-COMMITMENT).

House in Committee (on Second Recommitment).

Clauses 1 to 25 *agreed to.*

Clause 26 (Privy Council to provide for pleuro-pneumonia and foot and mouth disease during transit, &c.).

THE DUKE OF SOMERSET called attention to sub-section 2, which gives power to the Privy Council, by General Order, to make such provision as they may think necessary or expedient, respecting the case of animals found to be affected with pleuro-pneumonia or foot and mouth disease "while in a foreign animals' wharf or foreign animals' quarantine station." He had on the Notice Paper an Amendment proposing to omit from the 5th schedule all provisions relating to quarantine. This sub-section included quarantine. The evidence of competent authorities went to show that the proposal in the sub-section was not desirable, and that, even if it were, it would be impracticable. The evidence of Professor Simonds and of Professor Brown was against these quarantine stations. "If we wanted to propagate disease, there is," they stated, "no better plan than to establish quarantine stations." Last year the Lord President himself admitted that these quarantine stations were hotbeds of disease, and that quarantine was one of the most difficult things in the world to carry into operation. He (the Duke of Somerset) thought that if they wanted to spread the disease all over England, they could not adopt more effectual means than by this system of quarantine. The healthy animals of one importation would be brought into contact with the diseased animals of another importation, and so the disease would be spread abroad in all directions. On the other hand, he believed it would be safer to admit animals from countries free from disease without any quarantine at all. He moved to omit from the clause the words "or foreign animals' quarantine station."

THE DUKE OF RICHMOND AND GORDON said, that he had not changed his opinion since last year. Last year he thought that quarantine of itself would not prevent the introduction and spread of disease—he continued to think so; and, accordingly, he had introduced in this Bill the principle of a compulsory slaughter, at the port of debarkation, of all fat animals imported from abroad. The provisions as to quarantine, therefore, would have but a limited application, and applied chiefly to store cattle which were necessarily intended for removal into the interior, and to animals imported for breeding, which would be very few in number.

THE MARQUESS OF RIPON said, he could discover no reason why store cattle should be admitted into the country, while fat animals were refused to be slaughtered at the port of debarkation. He should support the Amendment of the noble Duke.

On Question, That the words proposed to be left out stand part of the clause? Their Lordships *divided*:—Contents 131; Not-Contents 53: Majority 78.

CONTENTS.

Cairns, L. (*L. Chancellor.*)

Richmond, D.
Rutland, D.

Hertford, M.
Salisbury, M.

Amherst, E.
Bathurst, E.
Beaconsfield, E.
Beauchamp, E.
Belmore, E.
Bradford, E.
Cadogan, E.
Coventry, E.
Dartmouth, E.
De La Warr, E.
Devon, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Eldon, E.
Ellesmere, E.
Erne, E.
Feversham, E.
Grey, E.
Harewood, E.
Harrowby, E.
Jersey, E.
Lanesborough, E.
Lucan, E.
Malmesbury, E.
Manvers, E.
Mar and Kellie, E.
Poulett, E.
Powis, E.
Radnor, E.
Ravensworth, E.
Redesdale, E.
Romney, E.
Selkirk, E.
Stanhope, E.
Stradbroke, E.
Strathmore and Kinghorn, E.
Tankerville, E.
Verulam, E.
Wharncliffe, E.
Wilton, E.
Zetland, E.

Clancarty, V. (*E. Clancarty.*)
Combermere, V.
Cranbrook, V.
Gough, V.
Hardinge, V.
Hawarden, V. [*Teller.*]
Melville, V.
Powerscourt, V.
Sidmouth, V.
Torrington, V.

Gloucester and Bristol, L. Bp.
St. Asaph, L. Bp.
St. David's, L. Bp.

Airey, L.
Ashford, L. (*V. Bury.*)
Bateman, L.
Bloomfield, L.
Bolton, L.
Brancepeth, L. (*V. Boyne.*)
Braybrooke, L.
Brodrick, L. (*V. Midleton.*)
Castlemaine, L.
Chaworth, L. (*E. Meath.*)
Chelmsford, L.
Clanbrassill, L. (*E. Roden.*)
Clements, L. (*E. Leitrim.*)
Clinton, L.
Clonbrock, L.
Colchester, L.
Colville of Culross, L.
Cottesloe, L.
Delamere, L.
de Ros, L.
Digby, L.
Douglas, L. (*E. Home.*)
Dunmore, L. (*E. Dunmore.*)
Dunsany, L.
Egerton, L.
Ellenborough, L.
Elphinstone, L.
Fitzhardinge, L.
Forbes, L.
Foxford, L. (*E. Limerick.*)
Gage, L. (*V. Gage.*)
Gordon of Drumearn, L.
Gormanston, L. (*V. Gormanston.*)
Gwydir, L.
Hampton, L.
Hanmer, L.
Harlech, L.
Hartismere, L. (*L. Henniker.*)
Hastings, L. (*E. Loudoun.*)
Hawke, L.
Heytesbury, L.
Inchiquin, L.
Kenlis, L. (*M. Headfort.*)
Leconfield, L.
Lyveden, L.
Massy, L.
Meldrum, L. (*M. Huntly.*)
Minster, L. (*M. Conyngham.*)
Moore, L. (*M. Drogheda.*)
Norton, L.
Oranmore and Browne, L.
Oriel, L. (*V. Massereene.*)
Penrhyn, L.
Raglan, L.
Ramsay, L. (*E. Dalhousie.*)
Ranfurly, L. (*E. Ranfurly.*)
Rayleigh, L.
Rivers, L.
Ross, L. (*E. Glasgow.*)
Saltersford, L. (*E. Courtown.*)
Silchester, L. (*E. Longford.*)
Skelmersdale, L. [*Teller.*]
Sondes, L.
Stanley of Alderley, L.
Stewart of Garlies, L. (*E. Galloway.*)
Strathspey, L. (*E. Seafield.*)
Templemore, L.
Tollemache, L.
Tredegar, L.
Tyrone, L. (*M. Waterford.*)
Ventry, L.
Wigan, L. (*E. Crawford and Balcarres.*)
Winmarleigh, L.

NOT-CONTENTS.

Bedford, D.
Cleveland, D.
Devonshire, D.
Grafton, D.
Somerset, D.

Ailesbury, M.
Lansdowne, M.
Ripon, M.

Airlie, E.
Camperdown, E.
Carnarvon, E.
Chichester, E.
Clarendon, E.
Cowper, E.
Derby, E.
Ducie, E.
Ilchester, E.

Kimberley, E.
Morley, E. [*Teller.*]
Spencer, E.
Sydney, E.

Cardwell, V.

Aberdare, L.
Acton, L.
Belper, L.
Boyle, L. (*E. Cork and Orrery.*)
Carlingford, L.
Carysfort, L. (*E. Carysfort.*)
de Clifford, L.
De Mauley, L.
Dorchester, L.
Emly, L.
Foley, L.
Greville, L.
Hammond, L.
Hatherley, L.
Kinnaird, L.
Lawrence, L.
Leigh, L.
Lovat, L.
Lyttelton, L.
Monson, L. [*Teller.*]
Mont Eagle, L. (*M. Sligo.*)
Mostyn, L.
O'Hagan, L.
Ponsonby, L. (*E. Bessborough.*)
Robartes, L.
Romilly, L.
Sandhurst, L.
Sandys, L.
Selborne, L.
Strafford, L. (*V. Enfield.*)
Waveney, L.

Resolved in the *Affirmative.*

Clauses 27 to 32, inclusive, *agreed to.*

Clause 33 (Prohibition of importation, slaughter, or quarantine of foreign animals).

THE MARQUESS OF RIPON said, he was as anxious as his noble Friend the Lord President for the adoption of all reasonable measures required for the prevention of cattle diseases; for, undoubtedly, those diseases inflicted great loss on the agricultural interests of this country; but he objected to any restrictions that went further than was demanded by the necessities of the case. He thought that in its present shape the Bill did go too far, and he had therefore given Notice of an Amendment to this clause, giving discretionary powers as to slaughter and quarantine to the Privy Council. It was with satisfaction that he saw that, in consequence of a wise recommendation of the Select Committee to which the Bill had been recently referred, Canada and the United States were no longer included among the countries' fat animals, from which on their arrival in this country must be slaughtered at the port of debarkation. Did the compulsory slaughter extend to animals coming from those countries, an important and rapidly increasing trade would be very considerably injured, if not altogether destroyed. As showing this, he might mention that during the first five months of last year the number of live animals imported from Canada and the United States to the port of Liverpool was 1,360. In a somewhat shorter period of time — from the 1st January to the 20th May—this year the number was 5,880. The principle on which his Amendment to this clause proceeded was that adopted in every other part of the Bill, and his object was to have it applied to cattle imported from European countries; while the 33rd clause, as it stood, and the manner in which by its provisions animals from those countries were to be dealt with, were in opposition to that principle. He regretted to see that the discretion at present confided to the Privy Council in this respect was taken away by the present Bill. The principle of the Bill in respect to the home trade and to the trade from the United States and Canada was that of vesting unlimited discretion in the Privy Council—it was only with regard to cattle coming from European countries that the Bill refused any discretion to the Privy Council. He contended that there was no occasion for that. A state of things might have prevailed in foreign countries which would have rendered the exercise of any discretion on the part of the Privy Council, as regarded the slaughter of animals imported, a very difficult matter. The number of diseased animals might be so equally diffused throughout the European countries as to make it difficult to make any difference between one country and another; but he hoped to show that that was not the case, and that there were countries in Europe, the animals exported from which might safely be introduced here without compulsory slaughter. Under the existing law there were five un-scheduled countries—that was to say, countries from which animals might be admitted into this country without slaughter—namely, Denmark, Norway, Sweden, Spain, and Portugal. Their Lordships would remember that, in introducing this Bill, his noble Friend the Lord President stated that during the year 1876 there came into this country 11,662 diseased animals out of a total of 1,416,956; but from the five unscheduled countries there were only 174 diseased animals out of 164,893, the total imported from those countries. Their Lordships had now before them the figures for 1877, which showed that 3,796 diseased animals came in out of 1,357,856 in all, and from the five unscheduled countries only 15 diseased animals out of a total number of 143,523; and that disease was foot-and-mouth disease, and no other. During the last eight years 620,190 animals had been imported from the un-scheduled countries, and among these there were only three cases of pleuro-pneumonia, and none at all of cattle plague. But he was content to stand on the case of Denmark alone, and he would confine himself to cattle from thence. There had been imported from that country during the last eight years 252,342 animals, of which only 36 were diseased. They were affected by foot-and-mouth disease, and there was not a single case of pleuro-pneumonia. Last year the imports from it were 50,140, of which only eight were diseased. In 1876 there were 57,966 imported, of which none were diseased. He thought, therefore, he might ask their Lordships whether, in the instance of Denmark, there was not an overwhelming case for exemption from the Schedule of dangerous countries. Discretion having been applied to the United States and Canada by the Select Committee, he wished to know why the same principle was not to be applied to Denmark. Certainly, it appeared to him that in the case of such a foreign country as Denmark, the Privy Council might be entrusted with that discretion which the Bill vested in them as regarded the home trade. On a former occasion his noble Friend the Lord President told their Lordships that the compulsory provision in respect of the foreign trade was necessary for the stamping out of the disease. In reply to that, he (the Marquess of Ripon) endeavoured on the second reading to show that the provisions contained in the Bill would not effect that object. He would not go over the evidence he quoted on that occasion; but he would call their Lordships' attention to some evidence which had been given before the Select Committee of that House to which the Bill had been since referred. Professor Simonds, who was examined before that Committee, was the President of the Royal Veterinary College, and was a veterinary surgeon who for years had been connected with the Veterinary Department of the Privy Council. How did he describe the measures which he thought ought to be adopted? He said—

"I think that the movement of all animals should be stopped in counties where the foot-and-mouth disease exists—that is to say, that they should only move by licence in districts or departments which are free from disease. It would be also necessary to suppress fairs and markets and public sales. These are strong measures, but would be the chief measures that we should find absolutely necessary for the purpose of eradicating contagious diseases."

Then, what was Mr. Booth's opinion on the same subject? When that witness was under examination by Mr. W. E. Forster, these questions and answers occurred—

"2,403.—What would you do with the large markets?—If necessary, I should not hesitate to stop them for the time being. There are always sources of meat supply.

"2,404.—Would not that really imply the stoppage of all the large markets?—It does not follow at all.

"2,405.—Take the market at Norwich Hill; supposing that foot-and-mouth disease was in the county of Norfolk—I do not know whether it is or not—do you still think you would have any chance of stamping out the disease if you allowed any cattle to go to Norwich?—If the foot-and-mouth disease broke out in the district of Norfolk, I should stop the market at once.

"2,406.—My object is to find out what would be the inconvenience to the trade generally of these stamping-out regulations, and therefore I want to know what you consider that it would be necessary to do. Do you think it would be enough merely to stop the market when you knew that foot-and-mouth disease was existing?—I should not allow an animal to be moved outside a district in which foot-and-mouth disease was prevalent. I should take a certain large area and then stop the total movement of cattle in that district, as is done in Germany in case of an outbreak of cattle plague."

Before the Select Committee of 1877 on the Cattle Plague and the Importation of Live Stock, Professor Brown suggested certain measures. He said—

"I should make certain alterations in the present system of dealing with these diseases, or I should make a radical change, abandoning the present system altogether, and adopting an entirely new one in its place. First of all, having regard to the existence of these two diseases in this country, I should feel bound to impose very severe restrictions upon the cattle trade. Both in reference to foot-and-mouth disease and pleuro-pneumonia there can, I think, be no question whatever that the infective matter is chiefly conveyed through the movement of diseased and infected animals. Therefore I should be obliged to adopt such a system as would entirely prevent this movement. In order to do that, I should be complled to divide the whole country into districts, placing each one in charge of an inspector, who would be in constant communication with the central department. Having found all the centres where either disease exists in the district, it would be absolutely essential to prevent the movement of animals from those centres during the continuance of the disease."

And Mr. Wilson recommended the internal restrictions so proposed by Professor Brown. He asserted—and he (the Marquess of Ripon) did not think it was denied—that the provisions of this Bill would not stamp out foot-and-mouth disease. But if this were so, the clause which they were now considering was directly in the teeth of the Report of the Committee of 1877, upon which this Bill professed to be founded. The Select Committee on Cattle Plague and Importation of Live Stock, 1877, in their Report said—

> "And your Committee are of opinion that no further restrictions should be placed on the importation of foreign animals in respect of foot-and-mouth disease and pleuro-pneumonia, unless at the same time orders be enforced throughout Great Britain that in every district where either pleuro-pneumonia or foot-and-mouth disease exists, and which has been declared by the Privy Council to be infected, all movement of cattle be prohibited except under licence; that fairs and markets be under similar restrictions, and that absolute prohibition of movement be enforced against infected farms for periods varying from two months in pleuro-pneumonia to 28 days in outbreaks of foot-and-mouth disease."

It was upon this understanding contained in the conclusion of their Report that this Committee consented to impose this very stringent restriction on the foreign trade; but from that understanding the Bill distinctly went back, and he asserted that these provisions were not founded on the Report of the Committee of 1877. He asserted that it was unjust and unreasonable to impose restrictions on the foreign trade when they were not going to impose restrictions on the home trade. What was good for one was equally good for the other. This brought him to his third objection to this Bill. His noble Friend the Lord President, when he introduced this Bill, gave some statistics with respect to the number of cattle existing in this country and the number of cattle imported from abroad; and he instituted a comparison to show how unimportant was the foreign importation. He (the Marquess of Ripon) thought the figures then given were erroneous for the purpose of comparison. His noble Friend took the whole number of cattle existing in this country. Of course, he ought to have compared the number of cattle in the home market for consumption in any one year with the number of animals imported for consumption from abroad. But, be that as it might, he believed he should not be contradicted when he said that a comparatively small restriction on importation of cattle from abroad might lead to a considerable increase in price. His noble Friend himself, with all his official experience, said to their Lordships last year—

> "He could give an illustration of the effect of putting a check on the importation of animals into this country. During the six years ending 1869, the country imported from France 112,618 cattle; but in 1870 France was placed in the scheduled countries, which meant that all animals coming from France had to be slaughtered at the port of debarkation or undergo a quarantine; and those restrictions were so stringent, that in the seven years following 1869, the number imported was only 24,095, showing a very great distinction between the two periods." — [3 *Hansard*, ccxxxiii. 101.]

He (the Marquess of Ripon) therefore contended that the first effect of this Bill, at all events, must be to raise the price of meat. With regard to the dead meat trade, it was practically in its infancy—it might increase or it might not—its future was altogether a matter of conjecture and uncertainty. He wished to ask whether this was a proper time to try the experiment proposed by this Bill? Trade was bad, wages were low, trade disputes were rife, peace and war were possibly trembling in the balance; and, in his opinion, it could not be wise at such a time to run the risks that would be incurred if this Bill were to pass in its present shape. Next winter might be a hard one; but, if this Bill passed, the noble Duke would be unable to relax the provisions of this Bill if it once passed into law, however high the price of meat might become. And why was it to be done? Why should the people of this country be deprived of 143,000 animals imported into England last year from these unscheduled countries, only 15 of which were found to be diseased? It was said that the object was to promote the interests of the agricultural classes. Well, he belonged to that class himself, but he failed to see how they would be benefited by the Bill. Than the introduction of such a measure he could not conceive a more short-sighted policy with respect to the interests of the agriculturists. If the price of meat rose from any cause after this Bill passed the rise would be attributed to this measure, an agitation would spring up, and thereupon would be serious danger that in the result not only would the provision to which he objected be repealed, but the Privy Council would be deprived of many powers really required for the prevention of disease. It had been shortly alleged against the Bill that it was framed with the view of renewing agricultural protection. The noble Duke opposite, on his own behalf, had repudiated the correctness of that allegation, and he entirely accepted the noble Duke's statement so far as he was personally concerned; but he was not equally clear with regard to the intentions of those who were pushing the noble Duke forward, because he was convinced that the practical effect of this measure would be to establish commercial protection. He desired, especially, to know how the noble Duke was going to defend the interference with the cattle trade of Denmark under the provisions of this Bill? He could not conceive how there could be any adequate justification. Turning to the exact effect which his Amendment would have on the existing law, he had made a great concession to his noble Friend in his Amendment—as the law now stood, free admission of cattle was the rule and slaughter the exception—if his Amendment were accepted, slaughter would be the rule and free admission the exception. He approved the most stringent regulations being made for the prevention of the importation of diseased cattle into this country, and he would leave the noble Duke full liberty to make such terms with foreign countries as would secure the importation into this country of healthy cattle alone. The Government seemed to act on the maxim—*Sic volo, sic jubio, stet pro ratrone voluntas.* He hoped they would recede from this position and permit this alteration to be made. He earnestly begged their Lordships to adopt his Amendment, because it was in entire accordance with the general principle which pervaded every part of the Bill with the exception of this single clause, because it would remove from the measure the aspect of protection which it now possessed, and because it would give the Privy Council the most ample powers to prevent the importation of diseased cattle, while it would secure to the great mass of consumers, and especially to the poorest inhabitants of our large towns, the continued and unfettered enjoyment of those supplies of meat which they now derived from countries in Europe free from disease, which on every principle of Free Trade they had a right to claim, and of which it was neither just, nor expedient, nor reasonable to deprive them.

Amendment *moved*—

Clause 33, page 17, line 15, at end of clause, add—("Provided that the Privy Council may from time to time, if they think fit, by order or by licence in relation to foreign animals of all or any kinds brought from all or any countries to all or any ports, modify or suspend, subject to such conditions and restrictions as they think fit, the provisions of the said Schedule, relating to slaughter or to quarantine.")—(*The Marquess of Ripon.*)

THE DUKE OF RICHMOND AND GORDON said, that, having had so many opportunities of addressing their Lordships on the subject of this Bill, he would confine his remarks on the present occasion within the briefest possible compass. He must, in the first place, deny that this Bill had been framed in the interests of the agriculturists—a more incorrect statement could not be made. Speaking for his Colleagues, as well as for himself, he could say that their object in framing the Bill had been, not to consult the interests of any one class, but the interests of every class in the country. He also denied that the measure had been framed with the view of reverting to the system of protection—though, indeed, his noble Friend had not insinuated that. He regretted that it was entirely out of his power to accept the Amendment proposed by the noble Marquess—it was opposed to the essential spirit of the Bill. The great object of the Bill was the prevention of the importation of disease into the country from abroad; and another object was to stamp out such disease as might exist or arise, without putting undue restrictions upon the trade of the country. This, of course, could not be effected without putting a restriction, to some extent, upon the home trade; and it would be unfair to take such a step without giving a counterbalancing advantage by enacting that cattle imported from abroad should be slaughtered at the port of debarkation, and that so the danger of disease being imported should be minimized. The Bill was simply an extension of the present system, and he believed that if it were carried, the trade would soon adapt itself to the altered circumstances. The noble Marquess had laid great stress upon the fact that very little diseased cattle had come from certain countries he had mentioned, which countries would be affected by the Bill. But what had been done in this direction had been done because it was felt to be necessary. Only a spark was needed to kindle a great fire, and if infected animals from abroad were allowed to go over the country, they would inevitably spread disease among their own herds. The Government were not, as had been said, going to exclude thousands of animals which might be used for the food of the people. What the Government said to foreign countries was—"Send us as many as you please. But we must slaughter them at the port of landing to prevent the propagation of disease. We do not object to your cattle coming over here. On the contrary, we shall be delighted to receive them on the terms we state." Denmark had been cited by the noble Marquess as a country where disease was rare. Yet in Denmark, from time to time, there had prevailed a considerable amount of disease. Then, again, it was worthy of notice, that Denmark herself had taken the most stringent precautions for keeping out the disease, and so also had other countries. Was England to be the only country that refused to take the necessary precautions? He held that in the cases of Denmark, Spain, Sweden, and Portugal, it would not be safe to allow cattle to be imported without slaughter. Of all the countries mentioned by the noble Marquess, Norway was the only country that was free of disease; but in 1877 only 110 cattle had been imported thence into England. Well, was it worth while endangering our own flocks and herds for such a small result? He thought not. The object of the Bill was to stamp out disease in this country, with as little restriction on trade as possible. Outside the limits where disease existed, trade would be perfectly free. The noble Marquess opposite had said that the precautions would not stamp out the disease; but that was a matter of opinion; and he was happy to be enabled to state to their Lordships that for a long time past there had not been so little cattle disease in the country as during the past 18 months. The assertion that the passing of the Bill would lead to an increase in the price of meat was a mere conjecture—one which he had no doubt would not be justified by the result. He was compelled, therefore, to meet the Amendment of the noble Marquess with a direct negative.

VISCOUNT CARDWELL said, the noble Duke the Lord President declined to accept the proposal, on the ground that his Department would not be able to carry it into effect. This was to distrust himself too much. Only last year, on the alarm of cattle plague, he exercised those very powers with great success. As the amended Bill now stood, he would have to exercise them for the United States and Canada. Why not also for Spain and Portugal, and such continental countries as might be free from all fear of contagion? He had stated his desire not to deal with the foreign trade in a less favourable manner than he did with the home. If that were so, he might well accept the Amendment of his noble Friend, for it did not tend to diminish the power of the Privy Council to deal with cases where disease existed. If the noble Duke did not wish to deal with this matter in an exceptional manner, why did he not accept the Amendment? It would be impossible otherwise to persuade people that the Government were not adopting a policy of protection.

THE MARQUESS OF SALISBURY said, there should be no mistake as to the question before the House. The object of the Bill was to increase the quantity of food in this country, and so to cheapen its price. For the purpose of doing that, it was absolutely essential that they should give confidence to the producer of food in this country that the investment of his capital would not be made in vain in consequence of the introduction of foreign disease. It was the producer of food in this country who furnished the consumer with some 16-17ths of all that was consumed, and therefore it was the producer of food whose confidence ought to be encouraged, and whose capital must be protected against losses from contagious disease. To produce that confidence, they must have a fixed policy. They all had confidence in his noble Friend the Lord President of the Council; and if they could pass an Act of Parliament that he should live for ever, and hold the Office for ever, no doubt all would be right—there would be no necessity for enacting a fixed policy; but since they could insert neither of these provisions in a Bill, they must take precautions; and, therefore, the policy by which they wished to increase the protection of food in this country must be placed, not at the caprice of any Executive Government that might be in power, but under the sanction of Parliament itself. That was the issue now before the Committee. They ought not to be misled by references to Canada, America, or Ireland. There was no occasion to take precautions against Ireland, for Ireland was going to be placed under the provisions of the Bill, and there was no occasion to take precautions against Canada or America, for they were at such a distance that the voyage itself was a natural guarantee.

The Marquess of HUNTLY said, he should vote with the Government. There were hot-beds of disease abroad, and it was therefore not unwise to leave it to the administrative Government to decide the course to be taken.

Viscount POWERSCOURT also supported the proposal of the Government. No cordon could be drawn which would not sometimes be broken through, and the slaughter of the animals at the ports was better than any cordon. He would vote against the Amendment of the noble Marquess.

On Question, That the words proposed to be left out stand part of the clause? Their Lordships *divided*:—Contents 36; Not-Contents 133: Majority 97.

CONTENTS.

Devonshire, D.
Somerset, D.

Ailesbury, M.
Lansdowne, M. [*Teller.*]
Ripon, M.

Airlie, E.
Camperdown, E.
Clarendon, E.
Grey, E.
Kimberley, E.
Morley, E.
Spencer, E.
Sydney, E.

Cardwell, V.

Aberdare, L.
Acton, L.
Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Calthorpe, L.
Carlingford, L.
Carysfort, L. (*E. Carysfort.*)
Dorchester, L.
Emly, L.
Hatherley, L.
Kinnaird, L.
Lawrence, L.
Leigh, L.

Lyttelton, L.
Monson, L.
Mostyn, L.
O'Hagan, L.
Ponsonby, L. (*E. Bessborough.*)
Robartes, L.

Rosebery, L. (*E. Rosebery.*)
Selborne, L.
Strafford, L. (*V. Enfield.*)
Waveney, L.

NOT-CONTENTS.

Cairns, L. (*L. Chancellor.*)

Richmond, D.
Rutland, D.

Bristol, M.
Exeter, M.
Hertford, M.
Salisbury, M.

Amherst, E.
Bathurst, E.
Beaconsfield, E.
Beauchamp, E.
Belmore, E.
Bradford, E.
Cadogan, E.
Coventry, E.
Dartmouth, E.
Devon, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Eldon, E.
Ellesmere, E.
Erne, E.
Feversham, E.
Fortescue, E.
Haddington, E.
Harewood, E.
Harrowby, E.
Jersey, E.
Lanesborough, E.
Lucan, E.
Manvers, E.
Mar and Kellie, E.
Mount Edgecumbe, E.
Onslow, E.
Poulett, E.
Powis, E.
Radnor, E.
Ravensworth, E.
Redesdale, E.
Romney, E.
Selkirk, E.
Stanhope, E.
Stradbroke, E.
Strathmore and Kinghorn, E.
Tankerville, E,
Verulam, E.
Waldegrave, E.
Westmorland, E.
Zetland, E.

Clancarty, V. (*E. Clancarty.*)
Cranbrook, V.
Hardinge, V.
Hawarden, V. [*Teller.*]
Melville, V.
Powerscourt, V,

Strathallan, V.
Torrington, V.

Gloucester and Bristol, L. Bp.

Airey, L.
Alington, L.
Ashford, L. (*V. Bury.*)
Aveland, L.
Bagot, L.
Bateman, L.
Bloomfield, L.
Bolton, L.
Brancepeth, L. (*V. Boyne.*)
Braybrooke, L.
Brodrick, L. (*V. Midleton.*)
Castlemaine, L.
Chelmsford, L.
Clanbrassill, L. (*E. Roden.*)
Clifton, L. (*E. Darnley.*)
Clinton, L.
Colchester, L.
Conyers, L.
Cottesloe, L.
Delamere, L.
de Ros, L.
Digby, L.
Douglas, L. (*E. Home.*)
Dunmore, L. (*E. Dunmore.*)
Dunsany, L.
Elphinstone, L.
Fitzhardinge, L.
Forbes, L.
Foxford, L. (*E. Limerick.*)
Gage, L. (*V. Gage.*)
Gordon of Drumearn, L.
Gormanston, L. (*V. Gormanston.*)
Grey de Radcliffe, L. (*V. Grey de Wilton.*)
Gwydir, L.
Hanmer, L.
Harlech, L.
Hartismere, L. (*L. Henniker.*)
Hastings, L. (*E. Loudoun.*)
Hawke, L.
Heytesbury, L.
Howard de Walden, L.
Inchiquin, L.
Kenlis, L. (*M. Headfort.*)
Leconfield, L.
Lyveden, L.
Manners, L,

Massy, L.
Meldrum, L. (*M. Huntly.*)
Minster, L. (*M. Conyngham.*)
Moore, L. (*M. Drogheda.*)
Northwick, L.
Norton, L.
O'Neill, L.
Oranmore and Browne, L.
Oriel, L. (*V. Massereene.*)
Penrhyn, L.
Raglan, L.
Ramsay, L. (*E. Dalhousie.*)
Ranfurly, L. (*E. Ranfurly.*)
Rayleigh, L.
Romilly, L.
Ross, L. (*E. Glasgow.*)
Saltersford, L. (*E. Courtown.*)
Saltoun, L.
Silchester, L. (*E. Longford.*)
Skelmersdale, L. [*Teller.*]
Stanley of Alderley, L.
Stewart of Garlies, L. (*E. Galloway.*)
Templemore, L.
Tollemache, L.
Tredegar, L.
Tyrone, L. (*M. Waterford.*)
Ventry, L.
Wigan, L. (*E. Crawford and Balcarres.*)
Winmarleigh, L.
Wynford, L.

Resolved in the *Negative.*

Clause *agreed to.*

Clauses 34 to 77, inclusive, *agreed to.*

Clause 78 (Powers of Lord Lieutenant and Privy Council).

LORD EMLY moved that the clause should be struck out. The administration of the Bill in Ireland would be placed practically in the hands of the Veterinary Department, and evidence given before the Select Committee showed that almost universal dissatisfaction was felt with that Department. It was of the utmost importance that the Bill should be efficiently administered in Ireland as well as in England and Scotland, for laxity in Ireland might involve much more danger to the other parts of the Kingdom than the importation of cattle from Spain and Portugal. There was more danger from imperfect administration in Ireland than from the importation of foreign cattle. If this danger in Ireland were to be avoided, either the Bill must be administered in Ireland by the Lord President, as was done before 1866 — and he thought that the arm of the Lord President, if long enough to reach Cape Ness, was long enough to reach Kerry and Donegal—or else the Veterinary Department of the Irish Privy Council must be considerably strengthened and made as strong as it was in England. One of the most interesting portions of the Report of the Privy Council in England was the Report of the Veterinary Inspector; but the name of Ireland never occurred in his Report, and it was certainly desirable that corresponding information relating to Ireland should be obtained and recorded.

Moved, to omit the Clause.

THE EARL OF LONGFORD was understood to express his concurrence in the views of the noble Lord.

EARL SPENCER said, the point was one on which he should be glad to hear the opinion of the Executive Government in Ireland. At first sight, it seemed desirable that the whole administration of this law should be under one head; but the separate administration of Ireland rendered it difficult to carry out this view. At the same time, since he was Lord Lieutenant, a very considerable change had been made by constituting Boards of Guardians local authorities under the Act relating to pleuro-pneumonia, and empowering them to act in precisely the same way as local authorities in England. One advantage, probably, in separate administration would be greater rapidity of action than would be possible if it were necessary to refer to London instead of Dublin. He agreed with the noble Lord (Lord Emly), and hoped the noble Duke would do something to strengthen the hands of the Veterinary Department in Ireland.

THE DUKE OF RICHMOND AND GORDON was sorry he could not acquiesce in the proposal of the noble Lord (Lord Emly) to strike out the 78th clause. That clause had been inserted after consultation with the Lord Lieutenant of Ireland and those competent to advise him. In their opinion it was necessary to the proper working of the Act. There was no new principle involved in the clause which was not inserted for the first time—it was intended merely to carry out the law as it now existed. The noble Lord suggested that the Lord President of the Privy Council in this country should have the powers necessary for carrying the Bill into effect; but he (the Duke of Richmond and Gordon) confessed that he did not see his way to accept the charge of carrying out the details of the Bill in Ireland, on account of the many difficulties that must necessarily arise—for instance, the inconvenience of communicating with the Police for the purpose of carrying out the Act, for under such arrangement they would be serving two masters. With regard to the Veterinary Department in Ireland, it was certainly true that it did not present a Report to Parliament, as the Department in England did, and some of the witnesses from Ireland described the Department as unsatisfactory. He would inquire into the matter, and see whether there was any feasible mode of strengthening the Department, so as to enable it to command as much respect in Ireland as the sister Department certainly did in this country.

On Question? *Resolved* in the *Negative.*

Clause *agreed to.*

Remaining Clauses and the Schedules *agreed to,* with Amendments.

The Report of the Amendments to be received *To-morrow.*

House adjourned at Eight o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Monday, 27*th May,* 1878.

MINUTES.]—Select Committee—Gold and Silver Hall Marking, *nominated.*

Supply—*considered in Committee*—Army Supplementary Estimate for Native Indian Troops — Navy Supplementary Estimate —Civil Service Estimates, Class II.

Resolutions [May 24] *reported.*

Public Bills—*Second Reading*—Conway Bridge (Composition of Debt) [150]; Consolidated Fund (No. 3) *; Exchequer Bonds (No. 2) * [186]; Under Secretaries of State [181]; Lord Clerk Register (Scotland) * [182]; Railway Returns (Continuous Brakes) * [185]; Consecration of Churchyards Act (1867) Amendment * [176].

Considered as amended—Public Health (Scotland) Provisional Order (Lochgelly) * [171]; Highways (South Wales) * [160].

Third Reading—General Police and Improvement Provisional Order (Paisley) * [170]; Local Government Provisional Orders (Birmingham, &c.) * [165], and *passed.*

QUESTIONS.

PARLIAMENT — MEMBERS FOR THE SCOTTISH UNIVERSITIES—EXPENSES OF ELECTION.—QUESTION.

Mr. LYON PLAYFAIR asked the Lord Advocate, Whether he proposes to introduce a Bill to carry out the recommendations of the University Commissioners to lessen the present excessive expenditure of electing Members of Parliament for the Scottish Universities?

Mr. ASSHETON CROSS, in reply, said, that he was afraid that at that period of the Session the press of Business would absolutely prevent the Government from taking up the question.

NAVY—H.M.S. "BEAGLE"—EXECUTION OF A NATIVE AT TANNA—JUDICIAL POWERS OF NAVAL COMMANDERS. QUESTION.

Sir CHARLES W. DILKE asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to a Despatch addressed to the Commodore on the Australian station by Mr. Consul Layard, dated Noumea, May 14th, 1877, in which the latter states that he recommended, in the case of the alleged murder at Tanna, that the murderer should be required from the tribe and hung at the yard-arm of a British vessel of war; and, under what instructions from the Foreign Office a British Consul is empowered to advise the execution of natives in the Pacific?

Mr. BOURKE: Sir, the attention of the Government has been called to the despatch in question. No instructions have been issued from the Foreign Office empowering British Consuls to advise the execution of Natives in the Pacific. We do not understand the passage alluded to by the hon. Baronet to mean that Mr. Consul Layard gave advice to Lieutenant Caffin as to executing a convicted murderer. Mr. Consul Layard certainly did express an opinion to that effect in the despatch alluded to, which was addressed to the Commodore on the Australian Station and not to the Lieutenant, who carried out the orders of the Commodore. Whether the advice was given or not, there is no ground for thinking that if the advice was given it was erroneous in point of law.

POST OFFICE—UNITED STATES TELEGRAPH SYSTEM.—QUESTION.

Mr. LYON PLAYFAIR asked the Postmaster General, When the Report of the two officers of the Postal Telegraph Service sent to America last year to investigate and report upon the Telegraph system of the United States will be printed?

Sir HENRY SELWIN-IBBETSON: Sir, the Report in question is of a confidential character, and one which it is not intended to print and circulate. The information contained in it was supplied by private telegraph companies in America with the understanding that it would not be made public.

POOR LAW (IRELAND)—PAUPER CHILDREN IN CORK INDUSTRIAL SCHOOLS.

QUESTIONS.

Mr. M'CARTHY DOWNING asked the Chief Secretary for Ireland, Whether his attention has been called to a case which came before the magistrates at Cork on the 17th instant as regards the detention of two children, brother and sister, named O'Brien, at present in the Industrial Schools at Cork, at Marble Hill and Union Quay, by which it appears that their mother and step-father, being in a position to support said children, applied to the Right honourable Gentleman for their discharge, pursuant to the 33rd section of the 31 and 32 Vic. c. 25, and were refused; and to ask the grounds of such refusal, and why the ratepayers and Exchequer should be still burthened with their support while their natural and legal guardians are willing to support them?

Mr. J. LOWTHER: Sir, my attention has been called to this matter, and I am informed that the applications to which the hon. Gentleman refers were sent, according to the usual practice, to the Inspector of Industrial Schools for his Report. After consultation with the managers of the schools, the Inspector reported that, in his opinion, it would be detrimental to the future welfare of the children if they were to be prematurely discharged. He also said that it was evident that the object of the mother and stepfather in making the application was to escape their payment of a contribution towards the maintenance of the children. Under these circumstances the application was refused.

Mr. M'CARTHY DOWNING: Might I ask the right hon. Gentleman if he has any objection to furnish a copy of the Report?

Mr. J. LOWTHER: If the hon. Gentleman gives Notice of this Question I will consider the matter.

ARMY (INDIA)—RETIRING CAPTAINS.

QUESTION.

Colonel ARBUTHNOT asked the Secretary of State for War, Whether Captains in the Army serving in India, who may complete twenty years' service (from the date of attaining twenty years of age), and who consequently become ineligible for promotion under the Royal Warrant of 13th August 1877, will, under the provisions of Clause 92, Army Circular, 1st May 1878, be compelled to defray the cost of their passages to England and that of their successors to India, thereby being deprived of nearly a year's income on retirement, although practically they will be compulsorily retired, inasmuch as they are debarred from further promotion; and, whether, if this be the existing regulation, he will be so good as to give the matter his favourable consideration, with a view to its revision?

Colonel STANLEY: Sir, in answer to the hon. and gallant Gentleman I may say that the officers will not be required to make the payments referred to. The regulations at present are not quite clear; but I hope that in a short time they will be amended, so as to make them distinct. It may, perhaps, be necessary to consult the India Office on the subject.

LUNATIC ASYLUMS—*POST-MORTEM* EXAMINATIONS.—QUESTION.

Mr. P. A. TAYLOR asked the Secretary of State for the Home Department, If he is aware that some uncertainty and consequent anxiety exists in regard to the Law and practice of holding post mortem examinations upon the bodies of persons dying in lunatic asylums; and, if he would consider the desirability of issuing some authoritative memorandum indicating the conditions on which such examinations are by Law enforced or permitted?

Mr. ASSHETON CROSS, in reply, said, he had been in communication with the Lunacy Commissioners on the subject, and they had informed him that their opinion with respect to it was very strongly expressed in a Report which they had presented in 1870, and also in the evidence given by Lord Shaftesbury before the Select Committee of that House last Session. If, after looking at that Report and the evidence, the hon. Gentleman wished to put any further Questions, he should be happy to make additional inquiries.

SALE OF FOOD AND DRUGS ACT—SALE OF SPIRITS UNDER PROOF.

QUESTION.

SIR FREDERICK PERKINS asked the Secretary of State for the Home Department, Whether his attention has been directed to the prosecutions which have been instituted in various parts of the country against licensed victuallers for vending spirits of different degrees of strength under-proof, and the conflicting decisions which have been arrived at by local justices thereon; and, whether, considering the uncertainty which prevails upon the matter, he is prepared to consider the subject with a view to the fixing of a specific standard of under-proof at which spirits, and especially gin, can be retailed without any actual or implied infringement of the Food and Drugs Act?

MR. SCLATER-BOOTH: Sir, the attention of the Government has from time to time been directed to the prosecutions which have been instituted against licensed victuallers for selling spirits of different degrees of strength under proof. The policy of the Sale of Food and Drugs Act was to leave it to the local tribunals to give decisions in accordance with the evidence in each case; and, in order to provide against the inconvenience which might result from varying views among the locally-appointed analysts, it was provided that the opinion of the Commissioners of Inland Revenue might be taken in disputed cases. I have no reason to doubt that in course of time, by this means, and by the decisions of the High Court of Justice on typical cases brought before them on appeal, greater uniformity of procedure will be arrived at. Meanwhile, I may say that the statements and facts submitted to me tend to show that there is a natural process of deterioration in the strength of spirits by lapse of time, which should caution local authorities against the institution of proceedings in doubtful cases, and that there is a margin between the degree of about 17 per cent under proof, which may be taken to be the figure at which spirits are delivered over to the licensed victuallers, and the point or points at which the Superior Courts have supported convictions within which at present some uncertainty must be admitted to exist. There are difficulties in the way of fixing a specific standard, and Parliament has not thought it proper to insert any such in the Act; but means are provided by which, in doubtful cases, retailers of these articles can protect themselves from prosecution, either by retailing under warranty or by labelling the article sold as of a particular degree of strength below proof.

INDIA—THE RECENT FAMINE.

QUESTION.

MR. B. POTTER asked the Under Secretary of State for India, Whether his attention has been drawn to a statement in the "Times" of the 15th instant, said to be based mainly on official data, to the effect that the mortality caused by the recent famine in the Madras and Bombay Presidencies and Mysore is not far short of six millions; and, whether the Government is in possession of any information tending to confirm or disprove said statement?

MR. E. STANHOPE: Yes, Sir, my attention has been called to the statement alluded to. The Returns which we have at present received from India are very imperfect, and by quoting them I might run the risk of misleading the House; but as soon as we are in possession of fuller information it shall be laid on the Table of the House. The Returns disclose, I regret to say, a very lamentable loss of life; but, so far as they go, they do not lead us to suppose that the mortality at all approached to that stated by the Correspondent of *The Times.* I would point out that the diminution of population, whatever it may be, is due not only to mortality, but to a very large emigration of people who have left the distressed districts in search of work or sustenance.

ARMY (INDIA)—THE 31ST NATIVE INFANTRY.—QUESTION.

MR. O'DONNELL asked the Under Secretary of State for India, Whether he is aware that, as stated in the "Calcutta Englishman" of the 25th ult., a body of soldiers of the 31st Native Infantry, stationed at Cawnpore, under orders for Malta, flung aside their accoutrements in the presence of their Commanding Officer, and demanded to be allowed to share the imprisonment of some of their comrades already under arrest; whether the mutineers insisted upon the recall of a Native Subahdar, who had been removed from their command; and, whether it is true that the Native officer in question was immediately restored to the command demanded for him by the insubordinate soldiers, and that the arrested mutineers were released without delay?

Mr. E. STANHOPE: Sir, we have received no official information on the subject. There appears to be no reason for attaching any importance whatever to those proceedings.

THE MILITARY FORCES OF THE CROWN —THE INDIAN CONTINGENT—EXPENSES.—QUESTION.

Mr. FAWCETT asked Mr. Chancellor of the Exchequer, Whether, as the consent of the Council of the Secretary of State for India was not obtained before the expenses of moving the Indian troops to Malta were defrayed out of Indian revenues, he will explain to the House by what authority this expenditure was sanctioned, when it is provided by the 41st section of the Government of India Act of 1858 that the expenditure of the revenues of India, both in India and elsewhere, shall be subject to the control of the Secretary of State in Council, and no grant or appropriation of such revenues, or of any other property coming into the possession of the Secretary of State in Council by virtue of this Act, shall be made without the concurrence of a majority of votes at a meeting of the Council?

The CHANCELLOR of the EXCHEQUER: Sir, there has been no appropriation of the revenues of India for this purpose, but simply an advance on account for services rendered to the Imperial Government. Consequently, no case has arisen such as is indicated in the Question of the hon. Member.

EDUCATION (SCOTLAND) BILL.
QUESTION.

Mr. MARK STEWART asked Mr. Chancellor of the Exchequer, When the Government propose to take the Education (Scotland) Bill as a first Order of the Day; and, whether, in the event of his being unable to name a day before the Whitsuntide Recess, he can do so after that date?

The CHANCELLOR of the EXCHEQUER: Sir, it would certainly not be in the power of the Government to fix any day before the Whitsuntide Recess when this Bill could be a first Order, and I am not able to say when we can take it after the Recess. As the Bill has already passed the House of Lords, there will, I think, be ample time to proceed with it before the end of the Session.

INDO-EUROPEAN TROOPS IN MALTA.
QUESTION.

Major NOLAN asked the Under Secretary of State for India, What allowances in quarters, rations, money, or otherwise, are the wives and children of the European soldiers ordered from India to Malta receiving at present?

Mr. E. STANHOPE: Sir, while they remain in India they receive free quarters and subsistence allowance; if of European, or, in some cases, of mixed descent, at eight rupees a month; if otherwise, at six and a-half rupees a month; their children, under 16, at two and a-half rupees a month. The wives and children receive, in addition, half and quarter rations, respectively, free.

THE WAGES QUESTION—SHEFFIELD MAGISTRATES.—QUESTIONS.

Mr. MACDONALD asked the Secretary of State for the Home Department, If his attention has been drawn to a paragraph in the "Sheffield Telegraph" of the 23rd instant, relating to the manner in which witnesses were examined before the magistrates; if he has any reason to consider those statements well founded; and, if there is any cause for his interference? Also, Whether the statement in the "Sheffield Telegraph" of the 23rd instant is well founded, that of four magistrates trying cases arising out of disputes between employers and employed, two were cotton manufacturers, and that the two other magistrates were old and infirm; and, if so, whether the court might not be otherwise constituted?

Mr. ASSHETON CROSS: Sir, if I had received the smallest complaint from the district where this is supposed to have occurred, or a request that an inquiry should be made into it, I should have made one at once; but I do not feel called upon, upon complaints made in any article written in any country newspaper, to make inquiries into the conduct of magistrates. However, before coming down to the House I made inquiry at the Home Office, and I find that no complaints whatever had reached me from the district referred to.

TRAMWAYS—USE OF MECHANICAL POWER.—QUESTION.

Mr. WHEELHOUSE asked the President of the Board of Trade, Whether any facilities, and if so, what, are proposed to be given in those cases where Bills have been dropped in previous Sessions relating to the use of power on tramways other than animal, and whether the matter of such Bills can be dealt with during the present Session of Parliament, either by enlarging the scope of the Committee now sitting on that subject, or by separate Bill, or in some other way?

Viscount SANDON: Sir, in answer to my hon. and learned Friend, I beg to say that there does not appear to me to be any necessity for enlarging the powers of the Committee to whom all Bills of this Session relative to the use of mechanical power upon tramways have been referred, as the Committee have prepared clauses and regulations upon the subject, which they will insert in all the Bills and Provisional Orders, which clauses will afford facilities for the settlement of the question. These clauses and regulations could only be made applicable to Tramway Acts and Orders of previous Sessions by a general measure; and I do not think that in the present state of Public Business it would be possible to legislate—supposing we considered such legislation desirable—in the matter this year.

MILITARY FORCES OF THE CROWN—THE INDIAN CONTINGENT.

POSTPONEMENT OF MOTION. QUESTION.

Mr. DILLWYN asked the hon. Member for Hackney, Whether it was his intention to proceed to-night with the Motion of which he had given Notice in reference to the movement of the Indian troops?

Mr. FAWCETT could assure the hon. Member and the House that he was most anxious to call attention to the very important financial question raised; but he understood his hon. Friend the Member for Kirkcaldy (Sir George Campbell) intended to proceed with his Motion first. Therefore, he (Mr. Fawcett) would be precluded from going to a division; and as he did not wish simply to move his Resolution, but desired to have the vote of the House upon it, he was compelled to postpone it for the present. If no earlier opportunity presented, he would move it on the Indian Budget.

TURKEY—THE EASTERN QUESTION—THE CONGRESS.—QUESTION.

The Marquess of HARTINGTON: I beg to ask the Chancellor of the Exchequer, Whether he is yet in a position to give the House any information as to the negotiations which are stated to have been recently in progress and the prospect of an early assembly of the Congress?

The CHANCELLOR of the EXCHEQUER: I am not yet in a position to give any detailed information upon the subject; but I may say, within the last few days, the prospects of a Congress have materially improved.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

COST OF THE INDIAN TROOPS.

MOTION FOR A SELECT COMMITTEE.

Sir GEORGE CAMPBELL, in moving for a Select Committee to inquire into the cost, direct and indirect, of Her Majesty's Indian Troops serving beyond the old Indian limits east of the Cape of Good Hope, said, he did not design the Motion to be one hostile to the Government at the present stage of events. Though no one felt more deeply than he the wound that had been inflicted upon the Constitution by bringing over those troops without the consent of Parliament, yet he considered that the case might be made the best of, and that a sort of *ex post facto* sanction might be obtained for it in the shape of a Vote in Supply for 7,000 men. He had declined to give way to the hon. Member for Hackney (Mr. Fawcett), because he could not concur in his Motion, the direct effect of which would be to raise an Indian financial debate at an inopportune moment. Also, as regarded the strength of the Indian Army, he differed from the hon. Member for Hackney. The hon. Member's Motion was not logical, for it did not follow, because 7,000 troops had been moved from India to Malta, that the Army of India was too large. They must always have a Force ready for an emergency, and when that emergency arose they might well receive some aid from the Indian troops, just as India, in an emergency, had the aid of British troops. His objection went more to the manner in which they had been used. He thought that the result of a further inquiry on this subject would be more favourable to the use of these Indian troops than was the Report of Colonel Anson's Committee which sat upon the question in 1867. That Committee was presided over by no less a person than the present Marquess of Salisbury; and its Members reported that, in regard to the military and political aspect of the matter, the highest authorities were very much—it might be said hopelessly—divided, but that with reference to the financial aspect of the question authorities were agreed that there would be no saving by the employment of Indian troops in garrisons other than in India. At that time the Mutiny of 1857 was fresh in men's memories, and there was much prejudice against Sepoys. Major-General Hodson, for instance, could imagine nothing more "suicidal," because the presence of Sepoy troops anywhere must lead to murder and bloodshed. He believed, however, that the result of a further inquiry at the present time would be more favourable to the character of Native troops. He was convinced that a great change in the Native Army had occurred since the Report of that Committee was made, and his object in proposing the present Motion was that the Report itself should be supplemented, modernized, and brought down to the present day. He believed that the days of the Indian Mutiny had gone by; that their Native Indian troops had very much improved; and that they were good and faithful subjects of Her Majesty. Since 1867 the short-service system and the Army Reserve had been introduced. A great difficulty of short service was the large amount of foreign service which their troops were compelled to undergo; and therefore he thought the Government would welcome any measure which would relieve them of a considerable amount of such service with safety and advantage to the State. As to the financial view of the question, if the objections which were found to exist in 1867 to the employment of these troops should now be found not to be insuperable he should be very favourably inclined to the experiment of trying, to a certain extent, the use of Indian troops in order to relieve some of their British soldiers at certain stations. His impression was that a measure of that kind would be good both for their Indian troops and for their own troops; and that the employment of a limited number of the former in the way he had indicated would improve their discipline and render them more available in case a great emergency should arise—which God forbid!—when Her Majesty's Government would have to draw upon Indian soldiers to a larger extent than they had done at present. In connection with the question of finance, he had said that Indian troops serving out of India received larger pay and allowances than British soldiers, and the discrepancy was still greater in the pay of the officers. On that point it would be desirable to have some inquiry. He was inclined to think that at present the officers of Her Majesty's Indian Army were somewhat overpaid, and if they would avoid extravagance some alteration in the rate of pay must be made. The practice of giving civil employment to officers in India tended very much to detract from the efficiency of the Staff Corps in that country, and led also to the high pay which the officers received. The remuneration in civil employment was so great that it was found necessary to raise the pay of the officers of the Native Army, that they might not be tempted away. It was impossible to increase the number of those officers as long as their pay was so abnormally high, though, for his part, he believed the number of officers was already large enough. He wished that they should ascertain from the proposed inquiry whether for normal purposes, and as a rule, they could employ some of those Indian troops in their foreign stations; whether such employment was so successful as to justify a farther use of such troops; and, thirdly, if in time of great need they were driven to resort to India for an increase of their military strength, they could do so with advantage? He admitted, without putting faith in the gushing accounts they had seen, that so far the experiment had been successful. The troops had come forward willingly, without difficulty or demur, no doubt influenced by the high pay and allowances. As regarded the character of the troops, some people appeared inclined to talk of them as if they were extremely wild and savage men, whom it would be difficult to keep in order. He had no fears on that score. Their present Indian soldiers were taken from the plough, and, as far as regarded order, might be trusted to serve in any part of Her Majesty's Dominions. He was no military man, but he had an intimate knowledge of the Indian troops; and he asserted, without fear of contradiction, that they were quiet, orderly, and easily managed. He thought something might be done for the relief of British soldiers by employing Indian troops in unhealthy stations; but, if they were so employed, it would not be fair to give them all the bad and none of the good. He would suggest that they might bring a few of the Native Indian troops home, in order that we might see them and that they might see us. He believed that contact with those troops would remove many of the prejudices entertained in this country; that when they knew them better they would find that they were not semi-savages, as some had supposed, but orderly, pleasant, and good-natured people, and that we should like them pretty well, while they in turn would like us. He would not employ them for real duty in this country; but if an honorary detachment of those troops were brought to do duty at Aldershot and to attend Her Majesty, the Constitutional difficulty might be overcome provided only the Government would condescend to get the authority of Parliament for a measure of that kind. When they became better acquainted with those troops he thought they would take a more favourable view of them. In regard to the financial aspect of the question—how it was proposed to raise the money by which the Vote was to be met—he was afraid, from the statements which had dropped from the Chancellor of the Exchequer, that it was not proposed to raise it, but to borrow it. The present Estimate amounted to £750,000; but he did not doubt that the other charges not yet brought into the account would bring the amount up to £1,000,000, or more; and he thought the right hon. Gentleman would do well to recast his Budget, and raise more money by taxation.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the cost, direct and indirect, of Her Majesty's Indian Troops serving beyond the old Indian limits east of the Cape of Good Hope,"—(*Sir George Campbell,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Colonel STANLEY said, it was unnecessary for him to trespass long on the time of the House, for on an examination of the Resolution which the hon. Member for Kirkcaldy had moved, it seemed to him that there was very much to which the Government could agree. And although, in point of form, it might be necessary to demur to and to negative that Resolution as an Amendment on going into Supply, he was prepared, subject to certain reservations, to grant the greater portion of what the hon. Member proposed. The hon. Gentleman had pointed out, with great truth, that, as the Report of the Committee of that House, which sat about 11 years ago, under the Presidency of his noble Friend then Viscount Cranborne, referred to a date now considerably remote, some revision might now have become requisite in the terms under which those troops might be employed. Moreover, however carefully that Committee might have examined that question, and whatever might have been the value of the evidence it took, its Report, nevertheless, was one rather of a speculative character, and pointing rather to what might be done under certain circumstances than dealing with the actual facts. Now, accepting the facts as they now stood, it seemed to have become very expedient to inquire most carefully into that matter, to see where faults might have occurred, and what remedies could be proposed, and, above all, to weigh very carefully the financial effect of the measure and its indirect effects on the other Estimates of the year. The Committee, which was moved for by his late lamented Friend (Colonel Anson), examined into that subject very generally. It was appointed, if he recollected rightly owing to a Report that was made by a Committee which sat in a previous year, and which dealt with the case of China, in which a very remarkable mortality of European troops had occurred. That brought the matter prominently before the notice of the House; and, taking advantage of it, his late hon. and gallant Friend thought the time had come for endeavouring to obtain from this country the assent to a more general employment of Native troops out of India. Well, that Committee examined the question of employing those troops rather as a matter of every-day necessity than in the mode at present proposed to the House; and it undoubtedly intended that they should, in the first instance, be employed mainly in climates where it was not desirable to employ Europeans. That might have given the Report of the Committee a bias in a particular direction, and the circumstances were now so far different that there might be points upon which further inquiry had become necessary, and where a Committee, carefully selected, might present a Report that would prove of value to the country. He had, indeed, so far anticipated the hon. Member for Kirkcaldy (Sir George Campbell), that he had intended, as soon as the fact had been ascertained of all those troops having arrived at Malta, and the arrangements had been fully carried out, that a Departmental Committee should be appointed to examine very much the same question, and to see where shortcomings and defects had arisen, whether the arrangements as to employing European and Native troops, or as to employing both together, required modification, and, in fact, to bring all the knowledge that was required on the subject up to the present day. He thought that matters of detail could be more properly dealt with later in the evening; but while he conveyed, on the part of the Government, their assent to the appointment of that Committee, it became his duty to say that he did so mainly in the direction indicated by the hon. Member's proposal as it stood on the Notice Paper—namely—

> "To inquire into the cost, direct and indirect, of Her Majesty's Indian Troops serving beyond the old Indian limits east of the Cape of Good Hope."

The hon. Gentleman had argued some of the questions of which he spoke with reference to a very much wider range of subjects, and appeared to consider many matters that were not strictly included in the terms of his Resolution. As to the whole organization of the Native Indian Army, that was a question which itself would occupy a Committee for a considerable time, and it was hardly one which could be tacked on to an inquiry which, in the first instance, was evidently directed to another point. In the same way, the operation of the Staff Corps rules, he submitted, were rather subjects for an inquiry apart from the question of the employment of those troops at home, and still more would the question of the civil employment of officers in India form no proper part of the inquiry before that Committee. It was not only undesirable that the scope of that inquiry should be made too wide, but he would point out that if the field were made so diverse, it would be impossible to present the recommendations in such time that practical effect could be given to them. One lived long enough to be surprised at nothing; but, considering what had recently occurred, he confessed his surprise at hearing the hon. Member absolutely propose that the Indian troops should serve not only at Malta and Gibraltar, but that they should actually be brought nearer home. However desirable that might be from the hon. Gentleman's point of view, that was a hypothetical question which he preferred to put aside for the present; and all he would do was to join him in saying that it could only be done with the distinct assent of Parliament. Though it was his duty to demur to the form of the Amendment, the Government were willing, in substance, to agree to the Motion for a Select Committee.

He thought it necessary to point out that the Committee could not be appointed for some little time, as most of the information already received as to the financial and commissariat arrangements had come by telegraph. No doubt, when the troops had arrived at Malta, there would be numerous small questions to be adjusted which were not as yet before the House; and, after their arrival, it would be necessary for them to settle down before an inquiry could be conducted satisfactorily. He would not refuse an inquiry, though he was obliged to oppose an Amendment to the Motion for going into Supply.

Mr. C. BECKETT-DENISON said, he was glad that the Government had thought fit to accept the proposal for the appointment of a Committee, because he believed that the ground of investigation was of great importance to the future military power of this country. He was one of those who hoped to see Parliament elaborate a system by which the Indian Army might become for Imperial purposes more generally useful than it was now; but it was impossible that this could be brought about so long as the enormous discrepancies now existing between the pay of the Indian Army and that of the British Army were allowed to continue. They had always adopted the principle of paying European officers highly—he would not say too highly—for service in India, and they had also admitted the principle that when the Indian regiments were expatriated they also should receive extra pay. He believed a great deal of the enthusiasm recently shown by the regiments for foreign service was intimately connected with the extra pay which they would receive; but what could not be permitted to endure was their employment, with great variations of pay, in the various ranks of the Service. Possibly the Committee that was about to be appointed would be able to devise some remedy. He trusted the proposed Committee might be able to propose such a scheme as would make general service on the part of the Indian troops out of India not the exception, but the rule, and that in these days of speedy communications India would be reckoned, not as bounded by its own narrow limits, but as an integral part of Her Majesty's Dominions, sharing the joys, sorrows, and glories of the Empire. He believed that the recent discussion on this subject would help to clear away many prejudices against the employment of Native troops.

Mr. HAYTER said, that as a Member of Colonel Anson's Committee, he wished to remind the House of the terms of Reference to that Committee. He confessed he had heard with considerable surprise the announcement of the Secretary for War that within 10 years he had thought it necessary to appoint another Committee on this subject. It was the intention of Colonel Anson, in moving for this Committee, to inquire into the duties performed by the British Army in India and the Colonies, with the view of ascertaining how far it was desirable to employ certain portions of Her Majesty's Indian Army in Colonial service, or to organize a Force of Native troops for general service in European climates. Colonel Anson himself thought the first question indicated by the terms of Reference was too large for the Committee to enter upon; and the first paragraph of the Report, written by its Chairman, Lord Salisbury, showed the necessity for limiting the terms of Reference. That paragraph was to the effect, that the Committee had thought it best to limit their inquiry to the consideration of the duties of the British Army in India, so far only as they affected the Native troops; and their inquiry had no reference, as the hon. Member for Kirkcaldy (Sir George Campbell) had said, to the employment of these troops in unhealthy places. Much of the evidence also taken by the Committee related to the transport of Indian troops to Malta and Gibraltar; and one of the principal questions was, both how they were likely to be received in those fortresses, and what would be the expense to this country of garrisoning them with Indian troops. The main objection to the proposal was the great expense which would be involved in their transport and pay; that was the point at issue now, and the House would have to decide whether the objects proposed by the Government could not have been effected at a less cost by the employment of White regiments taken from the Mediterranean garrisons. As for the proposal to bring any of the Natives to this country, there were many objections to that course, specially the fear of blood feuds, the practice of mutilation from a fancied insult to their women, and other objections, which need not now be specified. Colonel Anson himself, one of the bravest and most gallant spirits in this House, was yet not sufficiently brave to make the proposal of the hon. Member for Kirkcaldy—namely, to bring over Probyn's or Fane's Horse to relieve Her Majesty's Life Guards at Buckingham Palace. It had cost £750,000, or rather more than £100 per man, to move these troops, and the question really was, whether the Government could not have effected its political objects at much less cost by the employment of White troops moved on from other garrisons to Malta. Perhaps the most extraordinary part of this matter was, that the Commander of the most expensive Expedition, in their experience of little wars of late years which they ever had, was the only General officer called in to advise the War Office and the Home Government. Upon this they had had a lesson before; for in the Abyssinian War they fought a barbarian King, whose troops never came into the field but once — namely, at Arogee — when the English troops apparently did the fighting, and the Natives did the running away, and an expenditure of £9,000,000 was incurred; whilst in the Ashantee War, where two or three day's desperate bush fighting took place, the struggle was brought to a successful issue within the time and expense estimated by the War Minister—not for £9,000,000, but £900,000. He recommended that fact to the consideration of the electoral body of this country, when they came to judge of the enormous expense incurred, in following up their policy, by adopting the extravagant Estimates of a distinguished Indian General.

MR. RYLANDS: I regret that the hon. Member for Kirkcaldy (Sir George Campbell) should have brought forward this Motion on the present occasion. He is, of course, within the undoubted exercise of his right, and the Motion is both valuable and important; but it would have been equally appropriate if introduced upon an ordinary occasion on a Motion for going into Committee of Supply. I regret he has persisted, because it has prevented a number of hon. Members from uniting together and challenging the opinion of the House upon the direct issue raised by the Government, that we should go into Committee for the purpose of voting a considerable sum of money to meet an extraordinary expenditure. That is the question more immediately before the House at this moment; and while, no doubt, it would be very proper at some future time, or at some remote period of the Session to which the right hon. and gallant Gentleman the Secretary of State for War (Colonel Stanley) looks forward, to hold an inquiry into the merits and efficiency of Indian troops as compared with European troops, yet that is a question which any hon. Gentleman can answer for himself without the assistance of a Committee. We do not want a Committee to prove that the use of Indian troops in Europe is, to say the least of it, a piece of gross extravagance. It would have been of more advantage to the House if we had had no bye-issue raised. We are asked by the Chancellor of the Exchequer to go into Committee to vote a large sum of money for an Extraordinary Public Service; and I think we are entitled, before we go into Committee, to be satisfied by the Government that this large sum of money is intended for a Service necessary for British interests; and I think we have also the right to be satisfied that, if necessary, it is proposed to conduct the expenditure in the most economical manner. If the Government does not satisfy us on these points, the House is entitled to reject the proposal made by the Government, that we go into Committee of Supply to grant them this money. I venture to say the Government have entirely failed to satisfy the House on these points; and we are without information that would justify us in the opinion that this Extraordinary Service is one necessary for the maintenance of British interests, or calculated to promote peace in Europe. In fact, the Government came and asked the House to take a most important step blindfolded. We know how on a former occasion, on a question of home policy, the Prime Minister described his policy as a "leap in the dark." He is now asking us to take a "leap in the dark" as regards foreign policy. We are not treated by the Government in a fair and candid spirit, when they thus seek to commit us to an important act of public policy without any reasons to justify it. When we met this proposal with criticism, and urged objections, we were told by Members of the Government, in language of injured innocence,—"Our mouths are closed; regard for British interests imposes silence upon us; but if we could our tale unfold, it would satisfy every critic, would remove every objection, and prove to an admiring country how necessary were our measures for the interests of the Empire and the welfare of Europe." Of course, when we are appealed to as a matter of confidence to support the Government, that appeal is received in a very different spirit on the two sides of the House. The hon. Members on the other side display a child-like simplicity in their confidence, and are prepared to accept anything, and to give the Government *carte blanche* to spend any amount of money, and for any purpose. But we, on this side, hold a very different view. It was, I think, Lord Chatham who said confidence is a plant of very slow growth; but to have any growth of confidence at all, there must be some root for it. When we look back for the last two or three years, we do not find that Government have given any grounds for confidence. We are now told there are prospects of the meeting of Congress, and hopes of peace, and I am sure we all receive that intelligence as satisfactory and encouraging.

Mr. SPEAKER: I must point out to the hon. Member for Burnley that the question immediately before the House is the Amendment of the hon. Member for Kirkcaldy. In the event of that Amendment being negatived, the Question will be put that I do leave the Chair, when the observations of the hon. Member will be in Order; but they do not now appear to be directed to the immediate subject of debate.

Sir EDWARD COLEBROOKE said, that any inquiries with regard to the mere expense of the troops would be comparatively worthless in connection with a settlement of the larger and more important question of uniting the Armies of the East and the West. At present, such an experiment as his hon. Friend had advocated could only be tried upon a small scale, when they considered the existing constitution of the Indian Army; and hon. Gentlemen should not hurry off with the idea that, because of the movement of a small Force from India to Malta, the larger and more important question had been in any way settled. He did not deprecate such a trial, considering it a mere experimental measure; but the Army of India must be placed on such a footing as would enable the experiment to be fairly tried. At the same time, he was of opinion that, for political and financial purposes, it was undesirable that they should have a homogeneous Army in their Eastern Empire, as it might be a danger to the State.

Sir HENRY HAVELOCK said, he was glad to learn that this Committee would be granted; for he believed the result of the inquiry would prove that, except in an emergency, Indian troops could not be employed in Europe with any advantage—military, political, or economical. He trusted, he might add, that the appointment of the Committee would not be delayed very long, but that it would enter upon the proposed inquiry, if possible, within the present Session. The Estimates before the House for the movement of the Indian troops amounted to nearly £750,000; but there were several points which had altogether been omitted from consideration. It had been stated that 7,000 troops were to be brought from India; but he could not ascertain that more than 6,100 would be available for that vast charge. The average cost of each would be about £123; whereas they might, he believed, obtain from the resources of this country and the Colonies soldiers for an outlay of not more than half that sum.

Mr. A. MILLS: I wish to know whether the hon. and gallant Member is in Order in discussing a question which might be more conveniently debated on the Vote itself?

Mr. SPEAKER said, the remarks of the hon. and gallant Gentleman were relevant to the Question before the House.

Sir HENRY HAVELOCK said, that another matter which had not been mentioned was, that four batteries of British Artillery were to be brought from India, which would involve a considerable expense. There was also another matter to which he wished to direct attention. He had had the honour of commanding some of the troops which were now on the way to Malta, and should be the last man to say anything in disparagement of them.

Properly officered, they might be fairly matched against any troops that were likely to be brought against them. He dissented, however, from the views of those who wished to see any portion of those troops as an organized body introduced into this country. If any advantages were to be derived from the movement they were political, and he would not say one word to diminish their effect. As Malta was an island, and England was an island, the Native officers might form their opinion of England from Malta alone; and he thought, therefore, that the suggestion of his hon. Friend behind him, that some of those troops—selected officers only—before their return to India—which he hoped would be in a few months—should be brought over here, so that they might carry away with them a proper idea of the power of this country. That idea might, if acted upon in a judicious way, be productive of advantage.

MR. A. MILLS said, he believed the result of any inquiry would be to show that the employment of Indian troops might be carried out with advantage to this country. Under the present system, anomalies and inequalities existed between officers of the Indian Army and those who commanded regiments not serving in India, which gave rise to much dissatisfaction; and he hoped that any official investigation would have the effect of putting an end to them. He trusted, also, that the inquiry would result in giving direct encouragement to a policy which, if not financially objectionable, was, in his opinion, politically most desirable—that which would draw, in case of need, upon our Indian troops for Imperial purposes, thus reminding them that they were part of one great Imperial Army, and members of one nation.

MR. CHILDERS said, he did not clearly apprehend how much of the question it was proposed to refer to the Committee. The Committee of 1867 had dealt with the whole subject both in its political and financial bearings, and their inquiry, which had lasted over a whole Session, had been of a most exhaustive character. No point was left untouched in the inquiry, as far as the employment of the Indian troops out of India was concerned. The Committee dealt with the subject under several heads—first, the question of pay; second, the difficulty of using Indian troops side by side with British; third, the cost of providing the kind of food to which they were accustomed; and, fourth, the comparative value of the British soldier and the Sepoy; and the conclusion they arrived at was that it would be "unwise to make any considerable change in the direction proposed;" but that in certain Colonies where sanitary conditions were unfavourable to Englishmen, Indian troops might be used by way of experiment. He fully admitted that since 1867 circumstances had greatly changed—the Suez Canal, for instance, had been opened, and the telegraphic system had been extended; but he confessed he had great difficulty indeed in seeing the precise points which the Secretary for War considered as requiring fresh elucidation. However, if undertaken, it ought to be conducted in the most thorough manner, and the terms of Reference ought to be stated with extreme precision, that no room might be left for doubt as to the duties of the Committee.

SIR GEORGE CAMPBELL said, that after the concession which had been made by the Secretary of State for War, he should wish to withdraw his Amendment. ["No, no!"]

Question put, and *agreed to.*

THE EASTERN QUESTION—POLICY OF THE GOVERNMENT—THE INDIAN CONTINGENT.—OBSERVATIONS.

MR. RYLANDS: I am pleased to find the discussion on the Amendment has come to an end. When I was called to Order I was speaking of the fact of the important intelligence that the meeting of Congress is more probable than it was a few weeks ago, and that there are expectations that the peace of Europe will not be further disturbed. I am bound to say I do not think the fact that so far the Government have been successful in preserving peace is any reason why we should not be in a position to discuss with perfect freedom the question before us. The Government have been playing a game of great risk and for very high stakes; and, unfortunately, whatever the result may be, the interests of this country must be damaged and we must suffer considerable loss. I will not anticipate war; but if that had been the result, who can doubt the untold calamity and suffering which would have fallen upon the country? However popular such a war might have been among the "Jingo" party, if we had been brought into war by the course pursued by the Government, the pages of history would have condemned that course as discreditable, and the war as infamous. But I hope there will be peace, and that the expectations expressed by the Chancellor of the Exchequer will be justified. If there is peace, no doubt we shall be told by the Government, and by those who give the Government their support, that this follows as the result of the Government policy. But we hold a directly contrary opinion. We believe that this policy of demonstration and menace, so far from tending to bring about a peaceful solution of the difficulties, was a dangerous policy, and might have led to the worst results. Is it not possible for you to see that in negotiations carried on between nations or between Governments there must be something of human nature, and that you must treat Governments as individuals?—and is it not possible to see that if you treat a great people with distrust and menace, you will excite on their part the same feelings of mistrust, and a suspicion that you are actuated by other motives, and have other objects in view than those you avow? From information received from Russia, I know there was no confidence amongst the Russian people in the declarations of Her Majesty's Government, and the idea got abroad that they were determined on war, and that no concessions would prevent a war. In this state of feeling a very little would have led to war. This is our contention—that the Government, by a temperate, firm course, without these warlike demonstrations, would have secured all that they have secured, supposing the Congress meets. We do not believe it was necessary to bring these troops from India, or to make military demonstrations to secure that the voice of England should be heard. It is difficult to meet the proposal of the Government. They not only refuse to give us information, but they do this—they give us, in reference to their measures, certain information, and in a short time this information is found to be incorrect; so that they either tell us nothing, or they tell something not correct. I am sorry to observe the Home Secretary is not in his place; but I suppose the Chancellor of the Exchequer can give us information on an important point, to which I must direct attention. I have said the Government do not give us any information, or they give us information which is incorrect. They have gone further. They acknowledge that in a very important decision they have taken in regard to Government policy, they were influenced by information afterwards proved to be false. That is a statement to which I would call the attention of the Chancellor of the Exchequer. The Home Secretary gave us this information in distinct terms; and in regard to this movement of Indian troops to Malta, and to our complaint of their taking that decided step in secrecy, the Home Secretary said—

> "We had received certain information from a high authority, which has since, happily, turned out untrue. No one was more glad of that than myself; but there were rumours, which came from such an authority, that we were bound to pay respect to them."—[See *ante*, 501.]

He rests the case upon these rumours, which happily turned out untrue. I suppose at some future time, when we have the "Blue Book" history of these proceedings before us, we shall have some information as to who this high authority is from whom proceeded these rumours which had such an effect upon Her Majesty's Government. Then, perhaps, we can have the right hon. Gentleman in the witness-box and ask him to tell us what were those rumours, upon whose authority they reached the Cabinet, what effect they had upon the Cabinet when received, and again what followed when they were found to be incorrect? It may have been that in consequence of these rumours the Indian troops were ordered to Malta, and then, when these rumours were found to be false, it was too late for the Government to change their policy. So far as we know, that may be the information gathered from the speech of the Home Secretary. Now, I presume, sooner or later we shall get full particulars of the high authority upon which Government depended; but, in the meantime, I think we need have no difficulty in tracing whence these rumours came. They probably came from Constantinople. We have heard of such rumours before, and we know the effect they have had on the Government—they came from Her Majesty's Ambassador at Constantinople. Perhaps, at some future time, we shall know whether the high authority is, or is not, the same right hon. Gentleman who is in the habit of conveying alarming rumours to Her Majesty's Government to influence their decisions. It is a most unfortunate circumstance, that during the whole of these transactions there has been a Party with great influence whose aim and interest it was to secure a declaration of war from England against Russia with Turkey for an Ally. That Party has made use of the telegraph and the newspapers, and they have had the *entrée* into the saloons of Ambassadors, and by every instrumentality have endeavoured to make such an impression upon the Government as to induce them to make war in the interest of Turkey. I venture to say that when this now secret history comes to be inquired into, and the policy of the Government brought to the test, it will be found that most important decisions of the Government were taken in consequence of the influence of that Party whose interest it was to drag the Government into an alliance with Turkey against Russia. My hon. and gallant Friend the Member for Bath (Mr. Hayter) has pointed out so distinctly that the employment of the Indian troops, in consequence of the very extravagant expenditure, is one entirely without justification; and it will not be necessary for me to enlarge on that branch of the subject. Even allowing that this policy on the part of the Government was necessary for the promotion of British interests—a proposition which I entirely dispute—we cannot be asked to vote this enormous sum of money without taking into our account the fact that the House of Commons has already placed at the disposal of the Government a very large sum of money. Let me remind the House that on the Army and Navy Estimates and the Vote of Credit we are already committed to an expenditure of something like £32,000,000. Is not that sufficient for an armed demonstration? That is not all. Does any hon. Member suppose that this £750,000 is the last of the bill? We shall have a very considerable sum of money to pay beyond this amount. I believe that it is an altogether extravagant expenditure; and are we to be told that the time has passed when we can object to that expenditure? That time has not gone by, and we are not in any way now precluded from objecting to the policy which has been pursued. The right hon. Gentleman the Chancellor of the Exchequer has admitted, that while it would be a very great inconvenience if the House rejected these Supplementary Estimates, yet in that case the expense would not be thrown upon India. Therefore, it must be understood that if we vote against this expenditure for Indian troops, what we are doing is not throwing that charge upon India, but calling upon the Government so to avoid expenditure in other services, that they may provide out of such savings the fresh expenditure incurred. It will be far better to reject the Vote than to throw this additional burden upon the backs of the people of this country, who are suffering at the present time from great distress—from financial difficulties and privations of the most dreadful character. Is this the time, when for years past we have been passing through a state of commercial depression which has affected almost every capitalist in the Kingdom, when the people have a difficulty in finding employment, and, in some cases, even the common necessaries of life, to adopt such a Vote blindfold? The expenditure has been entirely unnecessary, and the object aimed at might have been secured by greater economy. Altogether the Government is left without a single excuse for the proposals they have laid before the House of Commons.

Mr. E. JENKINS said, that even at the risk of being accused of factious opposition, and of taking a course which was useless, and which could lead to no practical result, he thought it right to enter his protest against the course taken by the Government. The Chancellor of the Exchequer had assured the House that the prospects of the meeting of the Conference had materially increased; but the satisfaction with which that assurance was received was greatly lessened by the recollection of the number of satisfactory assurances which had come from the same quarter, but afterwards turned out to have been without any solid foundation. He was of opinion that there had been a dexterous manipulation of public information. For a long time past delicate and momentous questions had been under the consideration of the Government, large sums of money had been voted, the Reserves had been called out, and the Indian troops moved, and up to this moment no one knew what the object was at which the Government aimed. He contended that this was not a proper position for the House to be placed in; and he protested against the absolute and irresponsible right of a small clique, in concert with the Crown, to settle great questions of foreign policy, and to make war or peace without reference to Parliament. He protested against the House of Commons being made merely the holder of the purse-strings of the nation, and having the power only to say—"We will not pay." The conduct of the Government was, he held, wholly unconstitutional, and might have the effect of rousing a most unfavourable feeling out-of-doors. Not only were the Government pursuing a policy of secrecy, but in their diplomatic negotiations with Russia they had imposed silence on Russia herself. He believed the Government would not deny that they had imposed silence upon Count Schouvaloff in regard to the objects of his mission; and he asked if it were not true that they were contemplating, in reference to the negotiations, certain conditions which went far beyond anything that had yet been made known? He saw an article in *The Times* of that day which stated, in effect, that no influence could ensure good government in Turkey but that of a Power whose authority in the East was generally recognized, and that England was that Power. Such a policy might lead to the most serious consequences, and the sooner it was disavowed by the Government the better. He regarded the employment of these Indian troops as impolitic and inexpedient. It was calculated to excite the jealousy of European Powers, to create a reactionary and dangerous effect in India, and to blunt the moral sense of the English people. It would be a dangerous and unhealthy principle if they were to lay it down that in future wars England would find the money and India would find the men.

Mr. GLADSTONE: Sir, the House need not be afraid that I am going to abuse its patience by entering at length upon the wide subjects which are affected by this Vote. It has afforded me already its attention with great liberality and kindness, and therefore I shall show my gratitude by moderation upon the present occasion. I have not heard that it is intended to divide the House at the present stage of these proceedings; and I do not think that it would be very desirable that a division should be taken without Notice upon a subject of so much importance, when a division would give no fair test of the opinion of the House. I wish to express my own disapproval, and protest against this proceeding on two grounds—the one that I think it is impolitic, and the other that it is illegal. The impolicy of the use of Indian troops is a matter upon which I entertain a strong opinion; but, at the same time, I do not hold it as an ultimate and unchangeable opinion. It is a large question, involving a great number of considerations perfectly distinct from one another. We have had no argument from Her Majesty's Government upon the subject; and I feel that it is a question so novel, so extensive, and so complicated, that no prudent person, whatever his first impressions may be, would wish to give them vent as absolutely irrevocable. My own present opinion is, that it is a most impolitic and most dangerous measure; but, at the same time, that opinion itself would not have led me, before you, Sir, quit the Chair, to express my verbal protest against the proceeding. I feel, and those who think with me, that the vote which we are about to be invited to give is an illegal vote, a vote for a distinctly illegal purpose; in my opinion, we are taking the most consistent course in stating that opinion before we go into Committee. I am of opinion, not only that this measure is illegal, but that it is illegal under a number of distinct and separate heads, any one of which, so far as argument has yet gone, is quite sufficient to convict it of illegality. The first and most important of these is the question of Common Law. It is, I believe, in violation of the Common Law that we are called upon, without any attempt to rectify the previous proceedings, to give a vote for the purpose of supporting an addition to the Standing Army, which had been made by the Executive Government, upon its own responsibility, in violation, I will not say of the Bill of Rights, but of the Common Law, of which the Bill of Rights was a declaration and expression. There were several matters of fact alleged for the purpose of showing that the proceeding was not under that head illegal, and I would wish briefly to point to the signal and unexampled manner in which the allegations of facts that were made, with perfect truth and sincerity, by Members of the Government have, one after another, broken down. The first allegation was, that when the late Government, in the year 1870, proposed an addition of 20,000 men to the Army, they had no legislative sanction for the numbers so added to the Army; but the researches of the Government were not, unfortunately, extended to Schedule B of the Act—because in the Schedule will be found the number of 20,000 men recorded in the usual manner, with all the sanction that the Legislature can give to it. Another allegation was, that in the case of New Zealand a Force was sent from the Indian Establishment without authority, and that such sending of the Forces by a former Liberal Government constituted a precedent for what has now been done. If that had been done so, it would have been little material to the case, because in New Zealand war had actually broken out, and the question was one of establishing peace in the country. It appears, however, that such Forces were never sent at all, and that the Forces which were sent were English Forces not upon the Indian Establishment. Important as these errors are, the plea that was raised upon them was nothing like the importance of one which was made explicitly by the Attorney General in this House, and which appears to have been advanced still more boldly in "another place"—an allegation which, if substantiated in point of fact, would have gone some way to establish the doctrine set up on the part of the Government, that it is the Prerogative of the Crown to raise and maintain Armies generally—that the Prerogative was limited by the Bill of Rights as to the United Kingdom, but that beyond the United Kingdom no such limitations exist. If that proposition can be established, it would, no doubt, be most material for the support of the proceedings of Her Majesty's Government. There was only a single case alleged which went directly to establish that proposition, but it was an important case. I refer to the case of Ireland, and if the allegation breaks down there, the failure is still more conspicuous and egregious than in the other cases. It was alleged that for a length of time after the Revolution—and by a still higher authority than the Attorney General—that during the whole of the last century a standing Army was kept in Ireland without the authority of Parliament. What is the fact? The fact is that from the first Mutiny Act after the Revolution the authority of Parliament was given explicitly and expressly for the maintenance of Forces, with a view to the reduction and subjugation of Ireland. That process was repeated in the very next year—the year 1690. To the first two Acts I have referred, and I take the others down to 1698 on the authority of my hon. and learned Friend the Member for Taunton (Sir Henry James), in all of which years the Mutiny Acts provide and renew the authority for the maintenance of Forces in Ireland. In the year 1698 an Act was passed, constituting a regular Establishment of Forces for Ireland, which was fixed at 12,000 men. In the year 1767 that Act was repealed, and another substituted, which recited that it had become necessary to employ a certain portion of the Force kept on the Irish Establishment out of the country, and that, for the purpose of putting the Government in a condition so to employ a portion of the Indian Establishment, it was needful to enlarge the Irish Establishment; and, consequently, by the authority of Parliament, the Establishment was increased from 12,000 to 15,200 men. So stood the Act until the time of the Union. This is the only precedent as far my information goes, and the facts show that the standing Army of Ireland was maintained for 70 or 80 years after the Revolution, and down to the time of the Act of Union, under the express authority of Parliament. If that be so, and no one has contravened the allegation of my hon. and learned Friend the Member for Taunton, Ireland at that time stood in exactly the same Constitutional position as that which Malta now holds. So much for breach of the common law. Besides that, we have the Indian Government Act, and so far as I am able to understand, there are three distinct allegations that that Act has been broken, to no one of which has any tolerable semblance of an answer been given. The

41st section of the Indian Government Act requires the consent of the majority of the Council to any charge upon the Revenues of India. There has been no such assent by the majority of the Council, and that, according to us, is a distinct breach of the law. "No," as I understand the Government say, "there is no breach of the law, because there has been no charge upon the Revenues of India." The money has been paid out of the Revenues of India; there is no doubt at all about that; and there are no legal means for its repayment. I apprehend that when money has been paid out of the Revenues of India, and there are no legal means for its repayment, a charge has been imposed upon the Indian Revenue. If that be not so, you lose all power of defining what is the meaning of the phrase—"charge upon the Revenues of India." Well, Sir, this matter is tolerably simple, and may be said to rest thus—the East India Company in former times had not power for the general employment of Forces all over the world, but only within certain limits, which were defined by Charter and Acts of Parliament. The Charter limited their employment by a geographical definition, and that definition was the Cape of Good Hope on the one side and the Straits of Magellan on the other side. Within the region so limited the Forces of the East India Company might be employed, but beyond those limits they could not. In 1858, Parliament constituted the Military and Naval Forces of the East India Company into the Indian Naval and Military Forces of Her Majesty; and, in so doing, defined in the strictest manner that they should be Military and Naval Forces only upon the same terms as they had been for the East India Company. The care, the precision, and the minuteness of detail, with which this limitation is contained in the Indian Government Act is most remarkable; because it is not merely said that they shall be Her Majesty's Indian Military and Naval Forces on the same terms as they would have been had they continued to be the Forces of the East India Company, but it is said that they shall be under the same obligations to serve Her Majesty as they would have been under to serve the Company, and shall be liable to serve within the same territorial limits only, for the same terms only, and be entitled to the like pay, allowances, and so forth. It is perfectly true that that refers to the Forces that were then actually in the service of the Crown, and that a subsequent reference is made with regard to persons thereafter rendering that service; but, although that reference is made, there is no enlargement whatever of the terms contained in the Act of Parliament. There is a reference to other Acts of Parliament, but that reference only makes the case and the arguments all the more stringent, for we find in those Acts the geographical limits within which the East India Company's Forces might be employed distinctly recognized and affirmed. Then comes the 57th section of the East India Company's Act, which gives the Queen power, by order in Council, to alter or enlarge these terms; and it is not for me to dispute that, supposing contracts with individuals maintained, the Queen has Parliamentary power—a peculiar Parliamentary power—to enlarge the terms. But Her Majesty can only do so by Order in Council. There is no such power by oath of enlistment, by the Articles of War, or by anything else. Not only so, but care has been taken that Parliament shall be made part and parcel of the proceedings; because the provision is, that such Order shall be laid before both Houses of Parliament "within 14 days of the meeting thereof." Well, we have had it from the highest authority, from the Solicitor General, that it was the duty of the Opposition to find out whether there was any Order in Council or not. My hon. and learned Friend the Member for Barnstaple (Mr. Waddy) took the best way of finding out whether there was such an Order in Council. He inquired of the Government, and from the mouth of the Government we now know that such an Order in Council does not exist. This is the third breach of the law. The first is the breach of the common law; the second is with regard to the assent of the majority of the Indian Council; and the third is that which refers to the local limits within which the Forces are to act. Well, Sir, this a matter of great interest; because, hon. Gentlemen looking back over what has occurred in former years, cannot fail to be struck with the fact that in every one of the cases in which Indian Forces have been hitherto employed beyond the frontiers of India they have been employed in such a way as to come completely within the definition of the territories of the East India Company's Charter. The Solicitor General has said that this was an affair connected with the conditions of the contract between the Government and persons who were then serving in Her Majesty's Forces. If that had been all, it would have been perfectly easy to save their rights. It would have been totally unnecessary to put in these elaborate provisions about Orders in Council. It would have been a very simple matter to have introduced a saving clause or proviso on this point. The only reading of the Act, to any man who looks at it with an impartial eye, and endeavours to learn what was the animus of the Parliament which passed it, is obviously this—that the intention of Parliament was that the East India Army, in its Native Forces, should continue to be, as it had been, a local Army. The opposite contention would make out that Parliament was outside one of the very largest questions it was possible for it to decide—namely, that the Indian Army, which had up to that time been a local Army, should from that time become only a portion, separated by geographical boundaries only, of Her Majesty's Army. Instead of that, I think a wise course was taken. Power was left to the Crown to act by passing Orders in Council, and then by making those Orders known to Parliament, in order that Parliament might have the opportunity of pronouncing its opinion thereupon. Well, then, there comes the other clause—Section 55; and here it is very difficult to make out what is the exact contention of the Government. In fact, the Attorney General in this House stands in one sense altogether alone, for he is the only man who has made a distinct contention of any kind. We know at least what we are dealing with when we have to do with him; but from the other Members of the Government I defy any hon. Member to extract one particle of doctrine. They speak of alarming intelligence which proves to be untrue. Sometimes it is a telegram from Constantinople, sometimes it is something else; but, invariably, it causes some step of immense importance to be taken, and then the intelligence turns out not to be true. We were told that this power would be gently used, that it would be exercised with the utmost care and discrimination; but what the Constitutional principle is on which the Government mean to take their stand we know not. We only know that the doctrine of the Attorney General has been declared in terms perfectly clear and unequivocal, and that those terms have not been disavowed by any Member of Her Majesty's Government. Well, then comes, I was going on to say, the section with regard to the use of the Forces beyond the frontiers of the Indian Possessions; and here my contention is very simple. It is that the clause has been broken—flatly, plainly, and egregiously broken—by the doing of this act without the consent of Parliament. "Consent of Parliament" here means the previous consent of Parliament; but if that is contested I should like to have some case quoted, either from Statute or Parliamentary usage, according to which the "consent of Parliament" means some act done by Parliament after the fact. In its various Parliamentary applications the term has not one meaning. In the case of Bills affecting the proprietary rights of the Crown, the consent of the Crown has to be signified before the Bill quits the House.

THE CHANCELLOR OF THE EXCHEQUER made a remark, which was inaudible.

MR. GLADSTONE: My right hon. Friend really ought to have some compassion upon inferior intellects. He says that the consent of the Crown was to be given previously to the employment.

THE CHANCELLOR OF THE EXCHEQUER: At the expense of the Revenue of India.

MR. GLADSTONE: Then the consent of Parliament did mean previous consent? Although I believe the law has been broken in three respects, the two points on which we are mainly at variance are as to the territorial limits within which the troops may be legally employed, and, secondly, as to whether any charge has been actually made on the Revenues of India? Well, Sir, having made these remarks, it is not my intention to divide the House. On the contrary, I think I have given good reasons why it seems to me better that we should not divide at the present stage. But, inasmuch as we are called upon, in my opinion, to sanction an act contrary to the law, I wished to register my dissent against such a proceeding. I may be told that this, after all, is to meet a charge which has been already incurred. Well, of course, that is true as to a portion of the charge. I apprehend, however, that this will be both a prospective and a retrospective Vote; but looking at it as it is proposed in principle, and as implying a recognition of the propriety and legality of what has been done, I have ventured to state these objections to the House.

Mr. E. STANHOPE said, the right hon. Gentleman had alluded to the 55th Section of the Government of India Act, which he considered had been infringed by the action of the Government; but the argument founded on that section had already, he thought, been sufficiently disposed of by the remarks which had been made by his right hon. Friend the Chancellor of the Exchequer. The fact was, they were not applying the Revenues of India to this purpose at all. They were being, as a matter of account, advanced, but they would be repaid; but no charge would be put in any form upon the Revenues of India. Then, the right hon. Gentleman said that an Order in Council was necessary to enable the Government to act as they had done, and that that Order in Council ought to have been laid before Parliament. The Section of the Act had two objects—the first being, that if it were desired to alter the conditions and terms of service, it should be done by Order in Council; and the second object was to enable the Governor General in Council, from time to time, to alter the forms of attestation, and the oath to be taken on enlistment, without the necessity of coming to Parliament at all. There had never been any necessity to issue an Order in Council, but the Governor General in Council had issued an Order altering the form of attestation; and, under the Act, read by any man in the light of common sense, it showed that it was impossible, looking to the words of the clause, to consider that any Order in Council was necessary.

Sir ALEXANDER GORDON said, the hon. Gentleman had inadvertently fallen into an error. The alteration in the oath and form of attestation was made in 1856, in order to render the troops liable to serve beyond the seas—in the Mauritius, China, &c.—from which, until that alteration, they had been exempt, as their former oath only bound them to "march" wherever ordered. If there were any doubt as to the intentions of the Government of 1858, it could be solved by reference to the Report of the Commissioners of 1858-9 with regard to the amalgamation of the Indian and Imperial Armies. From that Report, it was clear that there was no idea that the local Army of India could by any possibility be employed in Europe.

Mr. MUNTZ said, if the House were to be asked to go to a division on this question, he could not give a silent vote. He was convinced at the time the £6,000,000 Vote was agreed to, that the majority of the House was unquestionably determined to support the Government in its course of foreign policy. He should have been content to let this matter pass but for the extraordinary statement of the right hon. Gentleman the Home Secretary, that Her Majesty had the undoubted right in time of peace to move Her troops from one part of Her Dominions to another; and of the Attorney General, that the Mutiny Act did not extend further than the British Islands. When he heard those statements, he thought they had receded 200 years, and that he was reading the accounts of the old Star Chamber. If Her Majesty's Government had come down and said that this was a matter of emergency—that they were not at liberty to give their reasons, but must trust to the good sense of the House to leave any discussion to the future—he, for one, would have given a very different vote. But when the Government affirmed it as an absolute right, it became a Constitutional question of importance. If the Mutiny Act did not extend beyond the British Islands, under what authority were the troops tried by court martial, as he had seen done in Canada and Nova Scotia, and elsewhere? He regretted to be compelled to vote against the Speaker leaving the Chair; but he thought this was no question of giving encouragement to Russia, but one of whether they should give up those liberties which their forefathers prized.

Sir GEORGE BOWYER was totally unable to see that any question of Constitutional law had been raised by the removal of these troops from India to Malta. The question turned on the meaning of the word "Kingdom" in the

Bill of Rights; and, as in common law, the "Kingdom" was defined to be "where the King's writ ran," it followed that Malta did not come within the Bill of Rights, as the noble Marquess the Leader of the Opposition had contended. The Bill of Rights was a declaratory Act asserting the rights and liberties of the English people. When even foreign troops were brought into this Kingdom Parliament was informed by Message after they were so brought in; and if Indian troops—British subjects—had been brought in, it was not necessary to obtain the previous sanction of Parliament under the Bill of Rights. Nor was there anything in the Mutiny Act to limit the Prerogative of the Crown to move a portion of the troops serving from one part to another. The talk about the danger of the movement was a mere bugbear. No man in his senses could seriously contend that the removal of Indian troops to Malta could in any way endanger the liberties of the people of this country. Troops could not be moved without money, and as Parliament had to be asked to pay the cost, Parliament had a check over the movement of troops. The late movement of Indian troops to Malta was no violation of the Constitution, for by the Constitution the Government and the disposition of the Forces were vested in the Crown. If the movement of Indian troops from India to Malta were against the Constitution, why was not a Resolution moved to impeach the Ministry? Instead of that, an ingenious Resolution was brought forward misreciting and mis-stating the law. That Resolution was supported by statements which, if true, would have justified an impeachment of the Ministry. In 1858 the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) moved a Resolution, declaring that except for the repelling of actual invasion, the Government should not be allowed to employ Indian troops beyond the boundaries of India without the consent of Parliament. That Resolution was not worth the paper on which it was written, if such employment of Indian troops were a violation of the Constitution. Lord Palmerston said that such an attempt to restrict the Prerogative of the Crown was unconstitutional. In the other House the subject was more maturely considered, and that Resolution was rejected. Therefore, there was a Parliamentary decision against the present contention of the right hon. Gentleman. He (Sir George Bowyer) did not know why the noble Lord moved a Resolution. If let alone, he did not believe the noble Lord would have moved a Resolution. Everyone present at the debate on that Resolution saw that the noble Lord, to use a law phrase, did not like his case, and had an up-hill game to make. The objection which had been made to the act of the Government in moving the Indian troops was not only a Party move, but it was one which was most ill-timed and most inopportune, inasmuch as it tended to weaken the influence of the British Government abroad.

MR. HOPWOOD said, they were getting familiar with assertions of Prerogative, and with arguments that were enough to make them afraid for the future; not that the National Party would not be victorious, but because a disruption of the even balance at present existing in the country would certainly come about if the course now in favour were persevered in by its injudicious advocates. The argument with respect to Ireland, which had been relied on by the Government in the late debates in both Houses, had been based upon a mistake, the fact telling exactly the other way. The policy of the Government in regard to the movement of Indian troops to Malta was simply to create a sensation in Europe. The movement of these troops to Malta was not justified by any emergency. The Government themselves had said that they did not now believe that there was an emergency, but that, in the first instance, they acted on information received from a high authority. Who was that authority? If it were their Ambassador at Constantinople, that accounted, perhaps, for the fact that the information was at once alarming and unreliable. If there were a real emergency, was India the place from which 7,000 men could be obtained the most quickly? Now, what effect would the introduction of Indian troops have on the Government of Russia? Why, they would form the opinion that that was the largest number we could spare from India. The Government were now going forth as a great military nation, and were assuming that bluster and swagger which brought the Second Empire to its fall. What had been the character for which England had been distinguished for many years? Why, if she had been distinguished for anything, it had been moderation. But that character had recently been greatly changed. The policy of the Government had been a boastful, bragging policy, and quite foreign to the nature of Englishmen. He warned the House against supporting such a policy at the present time.

Mr. BAILLIE COCHRANE said, there was a greater than the merely local question before the House. He considered it most unwise, ungenerous, and unpatriotic on the part of hon. Gentlemen opposite, in a great crisis like the present, to raise such an issue, more especially after the Chancellor of the Exchequer had assured them that there was a hope of a Congress assembling. Other countries could not imagine or realize that any body of men, least of all could they imagine Members of the British House of Commons, raising such a discussion, unless, indeed, they objected not merely to the movement of the Native Indian troops in a legal point of view, but altogether to the foreign policy of Her Majesty's Government. A wrong issue was, therefore, placed before the House. Did any hon. Member, he asked, believe for one moment that by the movement of these troops the liberties of this country were endangered? There were dangers to the liberties of the country, on the other hand, arising from the action taken by hon. Gentlemen opposite, and dangers to Europe as representing the faith of Treaties. The majority the other night showed the feeling of the House with reference to this subject, and, more than that, he thought it showed the feeling of the country. For his part, he believed that the step taken by the Government had done more than anything which had occurred in this generation to strengthen the union of India to Great Britain. He did not think that military men were jealous of the Indian troops. In fact, if these troops could be brought to England and reviewed by the Queen, he was certain they would be received with enthusiasm by the whole country. The course now taken was calculated to damage the action of the Government, for it was not understood in its true light abroad. He believed the Government, by the action they had taken in ordering these troops from India, had done the best thing they could to maintain their Indian Empire and the greatness of the country, and, above all, to maintain the rights of Treaties and the liberties of Europe.

Dr. LUSH said, he did not understand that the duties of the Opposition ceased after once taking a division upon a question. That was not the way he understood that the liberties of this country had been built up. No doubt, they were in a minority in the House at that moment; but he was not convinced that the Government possessed the confidence of the country. The question was one which the mere money evil did not properly appraise. The assumption of the Royal Prerogative was something infinitely greater than the mere money payment. The act of bringing over Indian troops had drawn upon the Government grave reprobation, and it was the duty of the Opposition so to oppose it that posterity might fully appreciate the position it had taken up. He should consider it his duty to vote against the Motion that the Speaker leave the Chair.

Mr. NEWDEGATE said, he was sorry that the right hon. Gentleman the Secretary of State for the Home Department had left his place, as he wished to take that opportunity to make an explanation with regard to some observations which fell from the right hon. Gentleman in reply to him (Mr. Newdegate) during the debate on Thursday last. The right hon. Gentleman then said that he (Mr. Newdegate) had contended that the previous consent of Parliament to the movement of Indian Native troops out of Her Majesty's Indian Possessions was necessary. He (Mr. Newdegate) then rose to explain that that was, in his opinion, the purport of the expressions used by the late Lord Derby in moving the 55th clause of the India Act, and that he (Mr. Newdegate) had not merely given his own opinion, but he had quoted the late Earl of Derby. The fact was, that this question, which the hon. Member for the Isle of Wight (Mr. Baillie Cochrane) seemed to think so trifling, and complained of its being interposed at what he described a great emergency, was a very grave Constitutional question. The question was this—and it was clear from the exposition of the hon. and learned Member for Durham (Mr. Herschell), and from that of the hon. and learned Member for Taunton (Sir Henry James), clear also from what had fallen from the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) that evening, that it was not the exercise of the Prerogative in declaring war that was questioned — there was no question about that, but the real question was this— whether, by moving the local Native troops from India, without the concurrence of Parliament, Her Majesty's Government had not used the Prerogative in this sense—the sense of having converted the Native Indian Army from a local Force into being a part of the general and Regular Forces of the standing Army of this Kingdom and Empire? Now, that was not a little question. The question was no less than this—whether by some operation, confined to Her Majesty's Ministers, without the previous knowledge or consent of Parliament, they had not so interpreted the India Act of 1858, that the Forces, which, by the 54th, 55th, and 56th clauses of that Act, were clearly described as a local Indian Army, not under the command of the Field Marshal Commanding-in-Chief of the acknowledged standing Army, but who were under the command of the Governor General of India, and that only for local and Indian purposes — whether, he repeated, by this undescribed process, Her Majesty's Ministers had not, in time of peace, managed to convert part of the Indian local Army into being part of the general Forces of the Kingdom; whether, by the use of the power, as it was alleged, contained in the 57th clause of the Act, by which Her Majesty had power, by Order in Council, to decide the terms of enlistment of this local Indian Army, the Government had not, as stated by the Under Secretary of State for India (Mr. E. Stanhope), so used and interpreted that clause, as to supersede the whole meaning of the three preceding clauses; and, strange to say, they had failed to produce any Order in Council which could satisfy the requirements of the 57th clause itself? Now, that, he repeated was not a small question; and, in saying this, he went upon what had been stated that evening as, in the opinion of Her Majesty's Government, the justification of their course, stated by the Under Secretary of State for India. If the question rested only upon the 55th clause of the Act alone, he could understand there being some doubt, though it was a doubt in which he could not share; for it was a doubt that did not seem to have entered into the mind of the late Earl of Derby when he framed that clause. But he would read the clause to the House. The 54th clause was to this effect—that when an order to commence actual hostilities was sent to India, the fact should be communicated to Parliament. Now, that clearly related to war carried on upon the frontiers of or within the Indian Territories of Her Majesty; he did not think any lawyer could read the clause, and dispute that conclusion. The next clause, the 55th, said—

> "Except for preventing or repelling actual invasion of Her Majesty's Indian Possessions, or under other sudden or urgent necessity, the Revenues of *India* shall not, without the consent of Parliament, be applicable to defray"—

not the expenses only of actual war, but—

> "the expenses of any Military operation carried on beyond the external frontiers of such Possession by Her Majesty's Forces charged upon such Revenues."

Therefore, the terms of the clause conveyed—and this was irrespective of a declaration of war in India—that without the consent of Parliament to repel invasion, or some such urgent necessity, neither the Revenues nor the Forces of India should be used for any military operation beyond the frontiers of India. In proposing this clause, the late Earl of Derby said—

> "If the troops were employed out of India, it would be for Parliament to decide whether they were employed upon Indian or Imperial objects;"—[3 *Hansard*, cli. 1697.]

because, according to the universal practice of the Government of India, equally while it was in the hands of the East India Company as since, these local Forces were used for Indian purposes outside of India, and to Indian purposes three of these four clauses clearly related. But surely the late Earl of Derby, with those three clauses before him, when he introduced the 55th clause, must have known what was the purport of the clause which he so introduced. He (Mr. Newdegate) had quoted it before, but he would quote two sentences of the Earl of Derby's speech again. The Earl of Derby' first words were—

> "The object of the clause was to impose a certain restriction upon the Prerogative of the Crown through the intervention of Parliament." —[*Ibid.*]

Those were his first words. His last words, when introducing the 55th clause, were these—

> "If the clause were not agreed to, it would be perfectly competent for any unconstitutional Sovereign to employ the whole of the Revenues and Troops of India, for any purpose which the Crown might direct, without the necessity of going to Parliament for the advance of a single shilling."—[*Ibid.*]

Let the House observe that these words point to an advance of money. He (Mr. Newdegate) could not believe that it was seriously argued by the Government that the Indian Treasury had not advanced a single shilling, and it had not been pretended that the Treasury of this country had done so. Clearly, then, if the Indian Treasury had advanced a single shilling, there was no pretence for saying that in this case the consent of Parliament had been obtained to the expenditure of that shilling. Clearly, according to the understanding of the late Earl of Derby—who substituted this clause for another, in order to place, as he said in his first words, a limitation or restriction upon the use of the Prerogative—the sense and meaning of the terms of this clause, taken in connection with the 54th, 56th, and 57th clauses of the India Act, had been broken and violated by what had been done. But did the proof of this stop here? This very question was raised in the year 1867, with respect to the Abyssinian War; and he had the words of the Chancellor of the Exchequer then before him, spoken on the 26th of November, 1867, during the debate on the Abyssinian War. In July of that year, and previous to the Prorogation of Parliament, the present Earl of Derby, then Lord Stanley, had announced that it was in the contemplation of the Government to use the Indian troops for the Abyssinian Expedition; and while the right hon. Gentleman the Chancellor of the Exchequer was speaking in this House in the following November, he said that no objection had been taken in this House by any Member of this House before the Recess, whereupon Mr. Bernal Osborne got up and said—"Yes, one did," and then asserted that Colonel Sykes had objected. Could there be any clearer proof that at the end of the previous Session, which closed in the month of August, 1867, this House had been informed that it was the intention of the Government to use the Indian Forces? But he would go further yet. When, in 1858, this 55th clause had been inserted in the India Act in Committee in the House of Lords, this occurred—he quoted from *Hansard*, vol. cli. 2008—

> "GOVERNMENT OF INDIA BILL.
>
> "Third reading, Clause 55, enacting that, except for preventing or repelling actual invasion, the revenues of India shall not, 'without the consent of Parliament,' be applicable to defray the expenses of any military operation carried on beyond the frontiers.
>
> "Lord CRANWORTH wished to remind the noble Earl (the Earl of Derby) that the 'consent of Parliament' meant an Act of Parliament; while the consent of 'both Houses of Parliament' would be inferred by Addresses to the Crown.
>
> "Earl GRANVILLE had asked more than once what was meant by the words 'consent of Parliament,' but he never received an answer. He should like to hear from the noble Earl opposite what was meant by the term.
>
> "The Earl of DERBY said, the consent of Parliament might mean either an Act of Parliament or a Resolution passed by both Houses."

And what did the late Earl of Derby do in 1867? The Indian troops left Bombay on the 7th of September in that year. That was when they moved. Simultaneously, the Earl of Derby issued Notices for convening Parliament, which assembled on the 19th of November; and, in seconding the Address in the House of Lords, the late Lord Hylton plainly stated, and purposely stated, that Parliament had been convened, as soon as circumstances admitted, because it was felt that the Constitution required the consent of Parliament to the use of these troops for Imperial purposes out of India. What was the next proceeding at the commencement of the Session, which began on that 19th of November, 1867? Why, the proposal of a Vote of Credit, which was granted by Resolution of this House, which thus assented to, and identified itself with, the action of the Government. Let the House now compare the proceedings in 1867 with the proceedings in this Session, when Parliament separated for the Easter Recess without having received the slightest intimation that this exceptional use was to be made of the Indian local troops, and had remained until this very day, after a division had been taken in the House on this subject, without the means of giving its consent to the action of the Government by passing any Resolution in Supply. He held, then, not only that the Constitutional practice had been broken, but that a most vicious and dangerous precedent was being set. That opinion he held distinctly, not upon his own authority only, but on that of accomplished lawyers, who had kindly assisted him by examining this Statute, and who had told him that that which had now been done by Her Majesty's Government was, in their opinion, illegal, and, even if it were not technically illegal, that it was wholly unconstitutional. He also contended that the action of the Government, in changing the terms of the enlistment of the Native Indian Army without an Order in Council, with a view to changing the character of that local Army of India, and to make that Army a part of the Regular Forces of this country, was a stretch of the Prerogative that was unjustifiable, and that would hereafter, if not now, be reprobated by Parliament. No one could be surprised that, entertaining these opinions, he (Mr. Newdegate) had voted for the Resolution of the noble Lord the Leader of the Opposition. He was no less anxious than Her Majesty's Ministers that this country should be prepared to exhibit her strength if necessary. He had voted against the Government on this Constitutional question. But he was the survivor of two non-official Members of that House, who, at the commencement of the Crimean War, doubted whether the Government of the day had made adequate provision of small arms for the Army. In conjunction with the late Mr. Muntz, then Member for Birmingham, he (Mr. Newdegate) ventured on the great responsibility of persuading the House to appoint a Select Committee on the Supply of Arms, thus superseding the action of the then Administration. This was in the year 1854. The Select Committee on the Supply of Arms then appointed, after a careful inquiry, took the same view as the late Mr. Muntz and himself —that the War Office and the Ordnance authorities had erred in trusting to their own then imperfect manufacturing establishment and to foreign supply, instead of entrusting large orders for rifles to the English arms trade. The Ordnance Authorities asserted that the English arms trade could not be trusted to supply more than 30,000 rifles a-year. The House of Commons compelled the Government, nevertheless, to send large orders to the English trade. The answer of the trade was the supply of 272,000 rifles in two years and three months. The result justified the conduct of the late Mr. Muntz and himself; but he (Mr. Newdegate) felt at the outset that they incurred a grave responsibility. He (Mr. Newdegate) was prepared now to incur as grave a responsibility, if necessary, as he did in 1854, for the sake of upholding the strength and greatness of this country; and yet, because he differed from Her Majesty's Ministers on this Constitutional question, it was pretended that he lacked patriotism and courage; because he had voted for the noble Lord's Motion, was he to be told that he was changed from what he was in the year 1854, and that he would hesitate to maintain the honour of the country? The hon. and learned Member for Wexford (Sir George Bowyer) said that the division on that Motion was a Party division. Well, the hon. and learned Member said that he had registered himself in the *Parliamentary Companion* as a Home Ruler, and in favour of a national Parliament in Ireland, whilst he (Mr. Newdegate) had for years registered himself as a supporter of the great principles of the Act of Settlement. The hon. and learned Member for Wexford (Sir George Bowyer) voted with Her Majesty's Ministers, and he (Mr. Newdegate) voted against Her Majesty's Ministers, in the division of Thursday last, and the hon. and learned Baronet declared that to have been a strictly Party division. If the hon. and learned Baronet were right, this gave a rather curious view of Party connection in the House. He (Mr. Newdegate) had voted with the Leader of the Opposition, because the noble Lord had most dutifully and properly raised a great Constitutional question, upon which he (Mr. Newdegate) agreed with the noble Lord; he voted, not with the view of impeding or delaying the action of the Government, but to preserve a great principle of the Constitution, which, when observed, let all foreigners know that there could be no doubt if Her Majesty were compelled to declare war —which God forbid!—that, although Her Majesty did this on Her own authority, Her Majesty had, in so doing, the advice, the consent, and the support of the Commons of England.

Mr. JACOB BRIGHT said, the hon. Member for North Warwickshire (Mr. Newdegate) was, no doubt, regarded by the Party opposite as one of the most unpatriotic men of the country. The Tory Party seemed to think that true patriotism consisted in following a Leader and stifling one's conscientious convictions, even upon the most important questions. They were asked that night to go into Committee of Supply, in order to vote money for an Indian Army which the Government had brought into Europe, in his opinion, contrary to law; but whether this transaction had been legal or illegal, before voting money for it, he should have required to be convinced of its necessity. It had been admitted by the Government that in bringing these troops the law had been set aside, and the entire step had been defended upon the plea of an emergency. If, when the law had been violated, it was enough for a Minister to rise in his place and state that there was an emergency, it would be easy at any time to defy the law. Surely it was the duty of the Minister to describe the emergency, to define it, to show its dimensions, to make it clear to the average intellect of the nation. Nothing of the kind had been done. No Minister had shown, or even attempted to show what this emergency was. He denied that there was an emergency. He was aware that if he stood alone in this denial, it might have little weight; but he denied it in company with a large portion of his fellow-countrymen and many Members of that House, who represented the largest constituencies. In that denial he was supported by men of the foremost intellect of the nation, as witness the declarations which they had publicly signed, and by the awakening voice of the constituencies as evidenced at Reading, at Tamworth, and at Northumberland. Nor did he fear to refer to the Election at County Down; for, when the Prime Minister rushed in hot haste to the nearest telegraph station to thank the electors of that county for the support given to his foreign policy, the Irish Members of that House, knowing that the Eastern Question was never referred to during that contest, had the strongest evidence of the growing sensitiveness of the Government to the opinion of the country. When he denied that there was an emergency, he meant, of course, an emergency which, were it not removed, would justify a great war. Where were we to find the emergency?—he supposed, if anywhere, in the Treaty of San Stefano. But, according to that Treaty, Constantinople remained in the same hands, the water-way to the Black Sea was undisturbed; and would any Minister tell the country that some 50,000 British lives, and, perhaps, £150,000,000 sterling, were to be sacrificed to make Bulgaria greater or less, or to prevent Russia getting a town more or less in Asia? The emergency was a sham and not a real emergency. If any of them should ever live to see a real emergency, when the vital interests of the Empire were attacked, the Minister of England, if he be fit to be Minister, would not send to a distant country in Asia for costly and inefficient troops, but would appeal to his own countrymen, and that appeal would be abundantly responded to. But, if there were no emergency, then the Government had committed a grave offence. Surely, it was a criminal thing for the Government, without reason and recklessly, to disturb every feeling of security in a country where millions of men have to live by exchanging the produce of their industry with other nations? He (Mr. Bright) represented a great commercial constituency; there were thousands of men in that constituency who at that moment were under the greatest pressure, and for whom the struggle to live became daily more difficult. The Members of the Government had no direct knowledge of these things. With, perhaps, only one exception, the Cabinet was taken from the county families and the landed gentry. They had both their private and official incomes, and, whatever happened, they lived in luxury and ease. It might be very pleasant for the Government, and especially for the Prime Minister, to be acting the part of disturbers of Europe; but what was pleasure to them was death to the country. The Prime Minister had had a great career at home—his ambition had been satiated, and he now sought a wider arena, and was satisfied with nothing less than to compete with European Potentates. What were the results? Two years of surprises and alarms had largely tended to paralyze the commerce of the world, and starving families, and violence and riot were the natural outcome of the Beaconsfield policy. With one hand the Government shook the confidence, and, therefore, injured the industry of the country; with the other it imposed fresh burdens upon that industry, so that taxes grew with the inability to pay them. The last Government was charged with harassing every interest in the country; this Government took a bolder course, it not only harassed every interest in the country, it harassed the world. If a real national emergency had existed, an English Minister would have acted with English candour, and would have come down to the House with a clear statement to ask for the support which would have been freely given by a united Parliament and country. But the Government, conscious that no emergency existed, except one of their own making, shrank from a searching discussion, and, therefore, determined to act without the co-operation of Parliament. When questioned as to why the House of Commons had been kept in ignorance of the movement of Indian troops, the Chancellor of the Exchequer informed the House that the Government had not thought it necessary to make any statement on the subject. When, however, it was discovered that even the present House of Commons resented this disrespectful treatment, the Government began to find reasons for its extraordinary conduct; and when those reasons were not vague and mysterious, when they were such as were capable of examination, they proved utterly worthless. The Leader of the House told them that it was important to keep the expedition secret, in order to obtain the transference of the Indian Army at a cheaper rate. It was at once shown him that publicity, by increasing the competition among shipowners, would have reduced freights. The Chancellor of the Exchequer was never again heard to refer to this subject. Then the Government told them that it would have been most unwise to divulge the secret, because practical difficulties might have prevented the realization of the object, and then they would have looked foolish in the eyes of Europe. It was impossible to conjecture what were the practical difficulties which could prevent England from moving 7,000 or 70,000 troops from one part of the world to another. It seemed to be only a matter of expense. The Home Secretary, however, threw some light upon this question. He said the practical difficulties had reference to the monsoon; but the hon. and gallant Gentleman the Member for East Aberdeenshire (Sir Alexander Gordon) with Indian experience, told the Home Secretary that the monsoon did not occur before the month of June, and with this explanation no more was heard of the practical difficulties. He would not, after so much debate, discuss whether the conduct of the Government, with regard to the Indian troops, had been unconstitutional or not, whether it had been illegal or not; but he must say that this disrespectful treatment of the House of Commons, this insult to Parliament had tended to intensify suspicions of an unpleasant kind. He found suspicions of a novel nature growing in the minds of some of the most sagacious politicians amongst them. When he asked for the grounds of these suspicions, he was referred to the remarkable disclosures in the life of the Prince Consort, to the ideas on Constitutional questions advocated in the great Tory Review, to the character of the Prime Minister, and to the conduct of the Government. How far the fear of an approach to personal Government extended in this country, was shown by the avidity with which the letters of "Verax" had been received. The sale of that pamphlet had been great throughout the country. He had reason to believe that it had been read by most Members of both Houses of Parliament, and to his knowledge it had found its way to many foreign countries. No wonder that Englishmen dreaded personal rule. It had brought unexampled calamity and humiliation upon the finest country in Europe. With a wise Sovereign and a prudent Minister, a country might have no immediate suffering from personal rule; but the day might come when we might have an unwise Sovereign and a reckless Minister, and then who should foresee the disasters that might befall them. Much had been said of the influences for good or evil upon India of the proposed employment of Indian troops in European warfare. Everyone admitted that they governed India mainly by the sword. India remained subject to this country, because of the 60,000 British troops they had there, and from the belief that in case of need, they could indefinitely increase that number. What, therefore, must be the surprise of that people to learn that they were unable to fight their own battles in

Europe, but had to appeal to India for aid. For a period of more than 60 years, they had only once, and for a short time, had the strain of a European war. During the whole of that period they had been increasing in numbers and adding to our vast resources, and now, when there was a chance of our being at war with only a single Power, not in the stress of conflict, but before even a blow had been struck, they sent to India for help. Could any course have been taken more likely to impress Eastern nations with a mean conception of our military resources? In the farewell order to the troops embarking at Bombay the Viceroy spoke as follows:—

> "Soldiers! you have been selected for the first Expedition that has ever left India to strengthen the British Forces in the Mediterranean. Whether your duties be those of peace or war, I am confident that in the faithful and devoted performance of them, you will safely uphold the honour of the Empire which is now confided to your hands."

India was here told that her own soldiers were needed to strengthen the British Forces in Europe, and the Viceroy declared that the honour of the Empire was confided to mercenary troops, not one of whom would shed a tear if these Islands were sunk in the ocean to-morrow. If these views obtained sympathy with the people of the United Kingdom, he should regard that as the beginning of the end of a great Empire. He could not consent to increase the burdens of the people without just cause. He did not accept the rule which appeared to be adopted by the Party opposite—our country, right or wrong. He must exercise his own individual judgment upon matters coming before that House, more especially when they were of the gravest importance; and he would give no sanction to a war which was not in the broadest sense necessary, and the demand for which was not founded on the clearest views of justice.

Mr. HARDCASTLE denied that any hon. Member on that side of the House wished to charge the hon. Member for North Warwickshire (Mr. Newdegate) with unpatriotic motives. On that side the right of private judgment was recognized, and the hon. Member might speak and vote against the Government upon this matter without fear of being dispossessed even of his accustomed seat. Although they might differ from the hon. Member, no man on that side of the House would dream of showing him personal disrespect. The hon. Member for Manchester (Mr. Jacob Bright) thought that there had been no emergency, and that the interests of this country had been in no degree menaced. He took exactly the opposite view. The circumstances of the past two years had been among the most momentous in their history. Had the country acted unanimously, and had the Opposition shown more consideration towards the Government, the points now in dispute might have been settled some time ago. Only the other day, a Liberal of influence, referring to the situation, said—"The Liberals are in a hole. If we have war it will be a bad thing. If we have peace it will be a Tory triumph, and I do not know which is worst." He was afraid that this was a fair specimen of the spirit which animated much of the opposition to the Government policy. The £6,000,000 already voted would perhaps have to be supplemented by £6,000,000 more; but, in his opinion, the money would be better spent than the £12,000,000 which the late Government devoted to the abolition of Purchase in the Army. This money had been spent in showing what they never believed in before—their own strength. The movement of these Indian troops was of great political importance. It had been said that 7,000 Englishmen might have been placed in Malta at less cost than these 7,000 Indian troops. But that was not the question. The question was, whether, in addition to their English Forces, they had anything else to fall back upon? India had been represented as a place where we might possibly be attacked. But this movement showed that India, instead of being a source of weakness, was a source of strength to England, which stood at present in a position of more acknowledged power than she had occupied at any time during the last 30 years. The policy of Her Majesty's Government, to unite the strength of the Empire, was the right policy, and he trusted that the Vote would be supported as one of the wisest that had ever been passed by the House.

The Marquess of HARTINGTON said, it seemed almost time for the House to consider what the question was they were now discussing. That Question he took to be whether the Speaker was to leave the Chair in order that the Estimates which had been laid on the Table might be considered. He would not have troubled the House during this debate had it not been stated that it was the intention of some of his hon. Friends to divide against the Motion. He wished, therefore, to explain why it was impossible that he should take any part in a division of that kind. So far as he knew, the course it was proposed to take was without precedent, and certainly, whether with or without precedent, it was one which, so far as he could perceive, carried no meaning with it whatever. He knew it was a very usual course, when it was proposed that the Speaker should leave the Chair for the purpose of going into Committee of Supply, to intercept that Motion with a view to ascertain a definite proposition. But he was perfectly at a loss to perceive what they were now to ascertain, what protest they were to make, or what they were to gain by a division which might be taken on the Question, and the sole Question, before the House. The effect of negativing the Motion would simply be that the discussion of the Estimates would be postponed, he supposed, to next Thursday; and it was a matter of the most perfect indifference to him whether these Estimates were considered to-night or next Thursday. But he might as well state now, what he had intended to state in Committee, why he was not disposed to offer, at this stage, any further opposition to the Vote which the Government had asked. He was unable to understand why the Government proposed that these Estimates should be considered at this particular moment. The House was perfectly unable to discuss them with full information. The moment which had been selected was too late to preserve the authority of Parliament; the affair was almost completed, and, as had been pointed out over and over again last week, there was little option left to the House except to vote the money rendered necessary by the measure taken by the Government. But if it was too late for the proper and legitimate authority of Parliament to be preserved, it was too soon for any complete or thorough discussion of the policy of the measure. The House had been told last week by several Members of the Government that they were not in a position to lay their full justification before Parliament. Now, if the Government proposed to take a decision upon these Estimates as an approval by the House of the policy of moving the Indian troops, they were scarcely dealing fairly by the House. How was it possible for the House to discuss fully or to assent to the policy of the Government when they themselves told the House that they were not in a position to place their full justification before it? There was some mystery, some conflict of evidence, about all this, which was perfectly bewildering; and he, for one, until the time arrived—as he hoped it would arrive some day or other—for its being made perfectly clear, despaired of solving it. The House was told immediately before the Easter Holidays that there was nothing whatever which gave occasion for increased anxiety; but in the course of the debate last week they were informed that this measure had at that time been resolved upon, and that information had been received from "a high authority," which had since been found to be untrue, but which, in the opinion of the Government, rendered this step necessary, and, at the same time, that for military reasons the preservation of absolute secrecy was absolutely necessary. How these statements were to be reconciled he really was unable to understand; and until the Government could lay their full justification and all the reasons for their policy before the House, it seemed to him that it was not dealing fairly by the House to ask it to assent to the Vote, if that assent was to be supposed to convey an entire approval of their policy. In any division which he might challenge he was bound to vote on the supposition that he should be successful, and he was also bound to look at the consequences in that light. Now, what would be the meaning of the rejection of these Estimates? It would either be that the expense of the movement of these troops would be thrown illegally upon the revenues of India—and that was what no one wished to do—or, as the Chancellor of the Exchequer told them the other night, funds might be found to meet the expense, but only at the cost of the total disorganization of the Naval and Military Services of the year. In the present state of Europe he was not disposed to give a vote which would have the effect of entirely disorganizing the Naval and Military Services of the country. What would be a further meaning of the rejection of this Vote? It might mean, that though Parliament would, no doubt, find the means for recouping the expenditure which had been incurred, it had decided that these troops should be sent back from Malta to India with the least possible delay. That, again, was a course which he would not be prepared to support by his vote. It was one question whether it was wise in the first instance to order this expedition, and a very different one whether, having been ordered, it should be immediately ordered to return. He, certainly, was not disposed by any vote of his to be a party to presenting in the face of Europe a spectacle of such irresolution as conduct of that sort would imply. Now, being unwilling to vote for a course which would result in any of these alternatives, and the House not being in a position to discuss fully the policy of the measure, they had no alternative, it appeared to him, but, under protest it might be, to pass these Estimates. They had made—and were entitled to make—their protest against the unconstitutional manner in which this thing had been done. Their objections had not been removed by what they had been told, nor swept away by the great majority against them. They were told that full information could not yet be laid before them. But their protest was directed not only against the conduct of the Government, of which a full explanation might yet be forthcoming, but also against the claims which the Government put forth when their defence was rested, not upon the plea of emergency, but upon the ground that it was unnecessary for Parliament to be consulted at all. Their objections had not been removed, but they had fully discussed the matter, and their opinions had been overruled. If the reserve was still maintained by the Government, as to the necessity for secrecy, they must apply it still further to the policy of this measure. It was quite clear that there were many and very serious objections that might be made to the policy of employing Indian troops in Europe. Many of these were stated by his hon. Friend the Member for Hackney (Mr. Fawcett), his right hon. Friend the Member for Pontefract (Mr. Childers), and others. For the reasons he had stated, he did not intend going into them now; but still there were many great and important questions of Indian and European policy involved. He might mention one, which had not hitherto been referred to, which was the effect of this policy on the future administration of the Suez Canal. The present arrangement by which the Suez Canal was utilized was well known; it was free for the passage of their troops to and from India. That arrangement was perfectly assented to by the other Great Powers of Europe; but that position of affairs might be very seriously and materially altered, if it were understood that the British Government were going to adopt the policy of bringing Indian troops to be made use of in a European war. The Russian, the German, the French, and any other Government would look at the Suez Canal in a very different light if that policy were to be adopted by the British Government. There were other points raised by this policy, but how could they discuss them now? Everything depended on the emergency, the necessity under which the Government acted, which they had informed them they could not yet lay before the House. Therefore, any discussion must in the meantime be imperfect and inconclusive. Many might vote against the Speaker leaving the Chair as a protest not only against this particular measure, but also against the whole policy of which it was a part. They would be perfectly justified in doing so, because they had from the very first, throughout these transactions, protested against the whole policy the Government had adopted of military preparation. He and many others had not been altogether able to agree in that view. They had admitted that circumstances might arise which would justify the use by this country of its naval and military power to protect the interests of the country, and assist in securing a permanent and enduring peace; and, holding these views, they had not offered that opposition which had been offered by others to a policy of preparation. But this Vote might, perhaps, be interpreted by Government as an expression of confidence in their whole policy. He wanted to point out the limits within which that assertion might be said to be true. He had said their full case was not before them; therefore, it was impossible for Parliament to approve a policy which had not been fully explained; but, so far as it had been fully explained, it had been a policy of preparation, and nothing more—a policy of preparation, no doubt, contemplating the possibility of war, but directed, in the first place, to the maintenance and security of peace. For that policy the Government might claim justly that they had received the sanction of Parliament; but they had received nothing more. The sanction they had received was a sanction to military preparations; but they had not received, as yet, any sanction of Parliament to an active or actual use of those military preparations. If they called on Parliament for such a sanction, the decision of Parliament must depend on considerations of which as yet they knew nothing. In his opinion, the failure of the negotiations a few weeks ago for the meeting of the Congress afforded no justification for a recourse to hostilities. Of what had occurred since they were absolutely ignorant. They did not know what had been the nature of the negotiations between the Courts of London and St. Petersburg. They did not know the differences, if any, which still existed between the two Governments; but it was difficult to think that they were such as to justify a recourse to warlike measures. He did not think it necessary to detain the House longer on this occasion; but he would express his strong conviction that if the Government presumed on the support they had hitherto received to their policy of military preparations as a support of their whole policy, they would incur a most heavy responsibility if—resting on that support—they committed the country, without a clear and unmistakeable warning, to any active hostile measures. Believing, then, that a discussion of the policy of the Government was for the present impolitic, and presuming the Government had reasons for wishing to obtain the sanction of the House to this Estimate this evening, he did not now wish to interpose any preliminary discussion. If at all advisable, that discussion might be better taken in Committee; but, even in Committee, unless the Government were prepared to make further disclosures of their views and intentions, he saw no alternative but to vote, without serious discussion, the expenses of the Expedition which had been incurred, and which it was impossible for Parliament to refuse.

THE CHANCELLOR OF THE EXCHEQUER need hardly say that with the larger part of the observations of the noble Lord opposite he entirely concurred. He gathered from what he had said that, while he entirely and most justly held himself and those with whom he acted clear to pronounce his opinion when he thought proper upon the whole course and policy of the Government, he did not think the present moment one when it was desirable to embarrass the Government by making a difficulty with regard to the particular proposals they now made. The question of bringing Indian troops to the Mediterranean was one which had two branches—first, whether it was Constitutional to adopt that measure; and next whether it was politic and expedient. Upon the Constitutional and legal character of the step they had a debate of great importance, which lasted during the whole of last week; and, upon the whole, the decision of the House was very unmistakably pronounced. The right hon. Gentleman the Member for Greenwich had again to-night raised some of the points which the Government thought had been sufficiently disposed of, and he hoped it would not be necessary for him to enter again into that controversy. With regard to the question of policy and expediency, no doubt it was difficult to argue fully at the present moment, for the Government was not in a position to put forth all the considerations which led them to advise Her Majesty to take that step, nor was the House in a position fully to discuss them. Of course, it was open to hon. Gentlemen to challenge the whole policy of the Government, to say their policy had been wrong *ab initio;* but it was a policy which they had consistently taken and pursued, and they believed it had not only been supported by a majority of the House, but by the general feeling of the majority out of the House. In taking that particular line, which they believed to be the right one, it had not been their desire or intention to plunge the country into war. On the contrary, they had pursued it as a means of precaution—as the wisest and best method of avoiding a very serious and disastrous conflict—for, no doubt, such a conflict would have been disastrous to the whole human race. Her Majesty's Government were as desirous to avoid that calamity as any hon. Gentleman in any part of the House. They believed they had taken a right course, others might think differently. The Government would be prepared at the proper time to defend the course which they had adopted. There had been, no doubt, several steps which the Government had thought it their duty to advise during the different stages of the negotiations that had been going on. Some of those steps had been represented as steps tending to, and intended to, plunge the country into war. They had been told that the sending of a Fleet to the Sea of Marmora, the calling out of the Reserves, the frank and bold, and he hoped temperate, statement of their objections to the Treaty of San Stefano, and other steps which they had taken, among which the bringing of these troops from India to Malta had been one, were of that character; but all those steps had not only not brought the country into war, but had been, he believed, the cause of measures best calculated to avert war, and to bring about a peaceable and desirable settlement of the difficulties with which they had had to contend. Their policy, in the estimation of some hon. Gentlemen, might not have been the wisest or the best policy; but he could truly say that it had been a sincere policy; and that they would be perfectly prepared when the proper time arrived to discuss it, and to defend it. With regard to the special measure which was now under consideration, the noble Lord, in the course of what he must own as his exceedingly fair observations to-night, had asked the Government why, after what had passed, they thought it necessary to bring forward the Vote at the present moment. He (the Chancellor of the Exchequer) would give an answer at once. They proposed to ask Parliament to give this Vote, and to authorize by it the expenditure which had been incurred for bringing those troops to Malta, in order to avoid that which they were charged, and erroneously charged, with wishing to do—namely, the throwing of the expense on the Indian Revenue. They had felt from the first that if this measure was one that ought to be taken—as they thought it was—it was one that ought not to be made a charge upon India; and they therefore announced, at the earliest period they could do so, that as soon as they had taken an Estimate of this particular operation they would submit it to the House, in order that Parliament might place them in the position of being able to repay not only this not very large advance, but also all prospective expenditure which might be incurred by this operation, and in order to make it clear to all the world that the Indian Revenue would not be charged with the amount. Even if the Vote were refused, the Government would still hold the Revenue of India harmless; but, as had been pointed out, the refusal of it would put their Estimates into some confusion, because it would be necessary to make a change in their expenditure in order that what had been spent in this particular operation might be met out of other portions of their revenue. But he apprehended there was no question about that. The House knew perfectly well what was spent in that respect. The Government had incurred this expenditure upon their own responsibility, because they believed it was a right step to take, and that it was one which the country and the House, upon full consideration, would hold to be right. But, at a future time, it would be for Parliament, upon reviewing the matter, to censure the Government if they thought the Government had acted wrongly. With regard to the particular question which was now before the House, he held with the noble Lord that that was not a moment at which it was particularly convenient to call for a division, because he really did not see what was the issue upon which they were going to divide. The question was, whether the House should go into Committee in order to hear the statements of his right hon. Friends the Secretary of State for War and the First Lord of the Admiralty, and, after hearing those statements to consider whether it would give the Vote? He did not think the principles which the hon. Members had at heart would gain anything by further prolonging this discussion, and he could scarcely imagine that the House would be inclined, without good reason shown, to stultify or set aside the decision to which it came last week.

Mr. O'DONNELL observed, that many of the officers of the troops that had been moved from India to Malta were employed in the Civil Service in India, and that thus civilians in India were deprived of the promotion they would otherwise have obtained. Another consideration to be borne in mind was that the removal of any considerable portion of their Indian troops from India would have to be followed by a corresponding reduction in the Armies of the Native States—a course which would be certain to create dissatisfaction with their rule.

Mr. FAWCETT wished to explain why he could not adopt the course suggested by the Leader of the Opposition, and abstain from voting against the Motion for going into Committee. The noble Lord had said that to vote against that Motion would be unusual and unprecedented; but the course of conduct on the part of Her Majesty's Government had been unusual and unprecedented. Any doubts which he (Mr. Fawcett) might have had as to the propriety of taking a division had been completely removed by the speech of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), who had shown that the action of the Government was unconstitutional, illegal, improper, and impolitic, and also by that of the noble Lord (the Marquess of Hartington), though for a different reason. The noble Lord had urged that, if taken at all, the division ought to be upon the Vote of this money in Committee. But he differed from the noble Lord in that respect, because, if they divided on the Vote in Committee, it might be supposed that they wished the expenses of moving these troops to fall upon the people of India. The most straightforward course would be to divide on the Motion for going into Committee. Their object in wishing to postpone the Vote was to obtain the requisite information from the Government to enable the House to judge whether it was just to grant the money for the purpose of moving the Indian troops.

Main Question, "That Mr. Speaker do now leave the Chair," put.

The House *divided:*—Ayes 214; Noes 40: Majority 174.—(Div. List, No. 154.)

SUPPLY — ARMY SUPPLEMENTARY ESTIMATE FOR NATIVE INDIAN TROOPS.

Supply—*considered* in Committee.

(In the Committee.)

(1.) £350,000, Native Indian Troops.

Colonel STANLEY said, that after the lengthened debate that had already taken place upon the subject of these Indian troops, in which the general opinion of the House had been equally pronounced upon both sides, it would not be for the public advantage, or for the convenience of the Committee, that he should enter into the question of the policy that had led to the despatch of those troops. That was, no doubt, an important question, and the Government would be perfectly ready to meet it when the proper time arrived for its discussion. If he were to enter into that question then, it would probably raise a debate which might be prejudicial to the negotiations now pending; and, therefore, he should confine his remarks to a brief explanation of the Estimate he had to submit. The despatch of the Native Indian troops, as the Committee were aware, was decided upon by the Government upon the 27th of March last. On the 12th of April following a commission was given to the Indian Government to make arrangements for the embarkation of the troops; and owing to the fear which was entertained by the Indian Government of the probability of bad weather, and with a view of avoiding the monsoon, the departure of the troops was hastened as much as possible. The general question as to the employment of Native Indian troops out of India had been discussed that evening in another form, and the Committee, to the appointment of which the Government had assented, would examine into that question, and when it had reported the matter could be discussed much more conveniently than it could be now, and he should therefore not touch upon it. The troops sent to Malta consisted of six regiments of Native Infantry, four companies of Native Sappers and Miners, two regiments of Native Cavalry, and two Field Batteries of the Royal Artillery. The Estimate he now presented to the Committee was, of course, only an approximate one. They asked for a Vote of not exceeding 7,000 men, although the number would not actually much exceed 6,000 men. The large proportion of these charges were of a nature that would arise whether the time the troops remained out of India was long or short, and it had been thought right by the Government to take the pay up to the 31st March next, that being the end of the present financial year. The Force consisted of 112 British officers, 122 Native officers, 6,040 men, 1,500 followers, and 1,373 horses. The principal items connected with the pay and allowances of the troops, which they had taken, in round numbers, at £180,000, were—provisions, about £40,000; forage, £55,000; miscellaneous supplies, £30,000; and for general purposes connected with the movement, £50,000, bringing the total up to £350,000. He was obliged to guard himself by saying that he did not know the actual details of the expenditure which would be caused by camp arrangements in connection with the troops and camp followers; but he had no reason to apprehend that the sum he had mentioned would be exceeded. It was proposed to camp the Infantry regiments at the glacis on the fort, the Cavalry and Artillery would be camped on the road leading to St. Antonio and Aquila, and from the accounts he had received he understood that all the sanitary arrangements would be satisfactorily concluded before the troops had arrived at their destination. He did not know that at that late hour the Committee would wish him to go into further detail. He trusted that on the understanding that the whole question of the policy of the Government might be hereafter discussed the Committee would agree to the Vote to which he had alluded, and which he now placed in the Chairman's hands.

Mr. DILLWYN did not intend to discuss the general policy of this Vote, and he did not wish to see the opposition to it carried any further; but he should like to know whether in this Vote the ordinary method would be followed of first voting the men and then the money? He had not clearly understood the statement of the right hon. and gallant Gentleman, as there had been so much confusion while he was speaking. If the usual course were not taken, he should like to hear what was the reason for such a departure from the ordinary rule.

Sir GEORGE CAMPBELL said, that he had upon a previous occasion taken the opportunity to express his opinion on the policy of this step, and he had not altered his opinion that the measure was not justified.

The CHAIRMAN: The hon. Member is not in Order in dealing with the general question, but must confine his remarks to this Vote.

Sir GEORGE CAMPBELL would confine himself to the Vote. He was not adverse to the experiment of employing Native Indian troops; but his objection to this Vote was, that the occasion was inopportune, that the number of troops brought to Malta was just enough to irritate the Russians and cause suspicion among the other European Powers, and not enough to be of much practical use. The Estimate before the Committee bore out his opinion, that those troops would cost a great deal more than European troops. Having said that, he should not vote against the grant, because they had already taken the money from the Indian Treasury, and he was anxious to repay that money as soon as possible. He differed from the noble Lord who so ably led Her Majesty's Opposition, and did not think it would be well to postpone this matter. The Government had now put this measure before Parliament, and were asking for a Vote for 7,000 men. As to that, it was "better late than never," and a salve to their consciences might now perhaps be found in the *ex post facto* assent of Parliament to the moving of those Indian troops. In pursuance with his view, he hoped the House, now that the step had been taken, would make the best of it. It was an interesting and important experiment, which, he hoped, would be made the most of. He suggested that some of those troops should be brought into this country, and he did not see why "Probyn's Horse" should not be employed as sentries at the Horse Guards. Such a step would, at least, afford great satisfaction to the juvenile population of London, and then the Horse Guards might be sent to India, where, no doubt, they would do good service.

Mr. DILLWYN, since he spoke last, saw that the men and money were to be taken together in one lump. That was unconstitutional, or, at least, exceptional. It was desirable that the House should legalize the moving of those troops as far as possible; and, therefore, he should prefer to have the men and money voted separately. He certainly expected to have some further explanation.

MR. C. S. PARKER said, if the hon. Member wanted a precedent, he ought not to look at the general Estimate, but any Naval or Military Supplementary Estimates.

COLONEL STANLEY said, it had all along been intended that the number of men should be stated to the Committee, and the Vote had been put in the most convenient form for that purpose, and, he believed, according to precedent.

Vote *agreed to.*

NAVY SUPPLEMENTARY ESTIMATE.

(2.) £398,000, Transport of Native Indian troops.

MR. PARNELL asked the Government for detailed information respecting the transports, particularly as regarded the terms which had been made with the owners. It was necessary the Committee should have these details, in order that they might see what kind of bargains the Government had made.

MR. W. H. SMITH admitted that a great difference of opinion existed as to whether the Government might not have obtained the transports at a cheaper rate. His own impression was, that if they had announced to the world that it was their intention to bring several thousand troops from India, and that they would require about 50,000 tons of shipping, the expense would have been considerably more than what they had arranged for. In this matter the Indian Government had acted on behalf of the Imperial Government, and there was every reason to believe that they had done their best, that they had exercised every possible care as regarded economy. The exact amount of tonnage taken up was 46,000 tons, and that was a very large drain to make upon the resources of one port, or one district, in any part of Her Majesty's Dominions. Although the Vote was founded upon information received by telegraph from the Indian Government, to the best of his belief, it was a full and complete representation of the liability which had been incurred; and the first item included the Suez Canal dues, and other charges of that character.

MR. C. BECKETT-DENISON was one of those who served on the Committee which sat after the Abyssinian Campaign, and a very large portion of the enormous expense which was incurred, in reference to the 14,000 men engaged in that war, was for transports. He was quite sure the Government were perfectly alert in this matter, and that they did not need to be cautioned. At the same time, he begged to point out that if these vessels were to be retained any length of time, it was quite certain the Vote they were called upon to pass would be inadequate. He should like to know for what term the ships had been engaged, and whether they had a running contract at so much per ton per month?

MR. MUNDELLA also served on the Abyssinian Committee, and, anything more extravagant than it was proved the charges for transports had been, could not be imagined. But that Committee could do nothing. It was too late. The money had been spent, and although a great portion of it had been utterly wasted, yet the bills had to be paid. Some of the things which had been done were both foolish and ludicrous. A number of ships were paid for several times over in point of value, owing to the wasteful contracts which were entered into. It was said that in this instance the reason why the Government did not make known their intention to Parliament was, that they were afraid if they did so the rates of freight would be greatly increased. Now, on that point there was a great difference of opinion, and many men of business, out-of-doors, were of opinion if the Government had come forward with a frank statement, and had invited competition, there would have been no difficulty in obtaining much more favourable terms than those they had done. He scarcely liked to state all that was said on the subject out-of-doors; but a great many people believed as many rupees per ton per month had been paid as shillings ought to have been. Many owners would have been glad to have accepted shillings where they had now got rupees. One very serious item in the Abyssinian Account was the charge for demurrage, and he should like to know what arrangement the Government had made as to that matter in the present Expedition? He regretted that the First Lord of the Admiralty had not placed full particulars of the contracts before the Committee, instead of contenting himself with saying that he had nothing but telegraphic information. If any ordinary house of business had entered into contracts of this nature, they would have had the full particulars in their hands before this time, and he was at a loss to know why the Government could not do what an ordinary house of business would have done. The Government had full command of the telegraph, and the right hon. Gentleman might, and ought to, have come down to the Committee, and laid before them a full account of the terms upon which these contracts had been entered into. The Conservative Party were in power during the Abyssinian Expedition, and they came down to the House and stated, over and over again, that from £2,000,000 to £2,500,000, would be the entire cost, yet they all knew that finally the account amounted to £9,000,000. Now, what he wished to guard against was the repetition of anything of the kind in this case, in order that the interests of the taxpayers might be protected. He made no objection to the Vote, because it was for the Indian troops; but he desired more information regarding it, solely in the interest of the taxpayers. He knew economy was out of fashion in this House, and people who advocated it were almost ashamed to use the word. It was looked upon as everything which was disagreeable; but, when they had trade decreasing and pauperism increasing, it was time they turned their thoughts in the direction of economy, because this was a very large sum for such a small blaze of fireworks from the Prime Minister. If it should happen that the Government had to change sides, do not let them hereafter come down and complain of heavy taxation. In his opinion, the expenditure which had already been incurred was most lavish, and they were apparently about to do the same as they did in the Abyssinian War, where the interests of the many were sacrificed to the interests of the few. Fixing the sum at £398,000 seemed very much like the 1*s.* 11¾*d.* which they were in the habit of seeing in the windows of drapers' shops. The First Lord of the Admiralty was a thorough man of business, and let him check the Indian Government, and get from them the full particulars of what they had done, in order that it might be seen whether they had gone about their work in a business-like manner.

Sir HENRY HAVELOCK said, as far as he could learn from the Indian prints, these vessels had been taken up on monthly pay for four months from the 17th of April; but the pay of troops was taken for 12 months, and that would seem to imply that they were to be kept from India for that time. If, on the other hand, they were only to be kept four months, then they would be in the middle of the monsoon, when it would be impossible for these ships to make the passage.

Mr. D. JENKINS considered these ships had been taken at 50 per cent more than they might have been obtained for. Some of the sailing ships were to receive 10 to 11 rupees per ton per month, and the steamers from 20 to 22 rupees. Why had sailing ships been engaged at all? The work on board of them was performed slowly, and it could be done in half the time on board the steamers. At the present moment there was a large amount of unemployed steam tonnage in India, and, if this had been taken up, the troops could have been landed in Malta within 14 days, instead of the voyage occupying three weeks as it did with the sailing vessels. He maintained that the manner in which these transports had been engaged showed an utter absence of business knowledge.

Mr. MAC IVER thought there would not be the least difficulty in showing that the Government had made the best bargain they could. While it was perfectly true that there was a great deal of unemployed tonnage in India, it was not true that tonnage was in excess at Bombay. No doubt, the Government could have got vessels in Calcutta and Madras from 10 to 11 rupees per ton per month, but that would have involved great delay; and, in order to carry out their project, the Government were compelled to accept the freights they could get in Bombay. The whole success of the thing depended upon its being done there and then, and he did not consider the

Government had paid an unreasonable price.

Sir GEORGE CAMPBELL said, that the remarks which had been made as to the extent of the profits reaped by Indian shipowners were well illustrated by a telegram which was sent from Bombay to Calcutta during the Abyssinian War—"Great panic here upon a false report of peace." He believed that there was a great deal of unemployed tonnage in India. If the Government had waited and had sent to Calcutta for steamers, they would have obtained transport for half the price. Instead of that, the Government had gone to a large expense in order to enable the Prime Minister to do the thing in a fireworky, brilliant manner.

Lord ELCHO observed, that there was one point to which he wished to call attention, as it did not appear to have been noticed before. He should like to know whether, when the occasion presented itself, the ships of the Royal Navy might not be utilized for the purposes of transport? In the Crimean War, the French Navy had the duty of conveying the French troops. He heard also, from General Baker, that one of the Turkish frigates had been used as a transport. It conveyed 5,000 men from one place to another, a journey occupying one day and a-half. Perhaps, in the present case, the Navy might be more utilized.

Mr. NORWOOD observed, that it was, no doubt, perfectly legitimate, under certain circumstances, to send Indian troops to Malta; but the question was, whether the Government had not in this instance paid too much for their transport? That was an important point in its bearing on the future employment of these troops. If the transport had been arranged by gentlemen accustomed to the tonnage market, probably 30 per cent, or, perhaps, one-half of the expense, might have been saved. As the hon. Member for Birkenhead (Mr. Mac Iver) had said, although there might not have been many ships in Bombay harbour, there was a large excess in Calcutta. Between the two places was only a few days' voyage; and if the Government had inquired in the Calcutta market, they might have procured three times the quantity of shipping obtainable in Bombay, and at about half the rates they had given. The House needed such information as no Minister at present seemed able to give on these points. Although the employment of the Indian troops was, in his opinion, not only legitimate but salutary, yet he thought the arrangements for transporting them might have been effected at half the sums expended in the present case. As the House was now asked to vote so large an amount for the transport, it might give an impression, not only in the House but in the country, that the cost of conveying the Indian troops was so heavy as to make their employment in large numbers practically impossible, which, in his opinion, was erroneous.

Mr. W. H. SMITH expressed his willingness to receive suggestions on Votes of this character from hon. Members on both sides of the House. He was ready to admit that the expenditure of the Indian Government in these matters had suggested to Her Majesty's Government the necessity of watching their proceedings. All he could say was that, so far as he was concerned, he would take care to watch its expenditure most narrowly in order to avoid, if possible, the extravagance that marked the Abyssinian Expedition. He was, however, bound to point out that, although the demand to get ships from Calcutta might possibly have been made, the amount of saving would be much less than that suggested by the hon. Member for Hull (Mr. Norwood). The actual charge for freight was £200,000, but the rest of the charge was made up of various items; £55,000 alone out of £256,000 was for pilotage, toll dues, including the Suez Canal charges, and other matters. It was true there was not at present before the House information on which they could rely; but he might say that 22 rupees had been paid for one ship. Until he knew the amount accurately, he must decline to give further information, though there were cases in which steamers and sailing vessels had been taken at 9 or 10 rupees per ton per month. The period which the charge of £200,000 represented was one of three or four months; in some cases it was for a slightly less in others for a slightly longer, period. Before that period had expired, there would be time to consider whether the ships should continue to be employed or be discharged. His noble Friend the

Member for Haddington (Lord Elcho) had spoke of the expediency of employing the ships of the Royal Navy for the purposes of transport. He would undertake to say that every economy would be practised; but if his noble Friend were as well acquainted as he was with the present condition of Her Majesty's Navy, he would know well that a ship of war as now constructed was hardly capable of taking on board any addition to its proper complement of men. No doubt, it was possible on an emergency for a ship belonging to the Turkish Navy to take on board 3,000 to 5,000 men for a day and a night. They might be taken on board in that way for a short time; but when the period was extended to three weeks, it would be necessary to make proper provision for the men, and he was afraid that the class of ships of which Her Majesty's Navy now consisted could not be largely used for the purposes of transport. When he was in a position to do so, he would lay before the House all information with regard to the liability which the Indian Government had incurred with reference to the movement of the Indian troops and to the contracts which had been entered into with shipowners for their conveyance.

Mr. MUNDELLA would be perfectly willing to accept the assurance of the right hon. Gentleman that full information should be given on condition that at as early a period as possible the particulars of all contracts should be laid before the House. A case had been brought to his notice in which its Bombay agent telegraphed to an English house that the Government wanted transport. They wrote him to accept 18*s.* per month, but shortly afterwards he telegraphed back that he had got 20 rupees per month, or about double the amount he was instructed to take. If such things took place—and he had the information on the best authority—it was right that full particulars of the contracts should be laid on the Table of the House. He did not accuse the right hon. Gentleman of any extravagance; but they knew what took place in India—and especially in Bombay—at the time of the Abyssinian War. The evil traditions with reference to expenditure that hung about Bombay made it more than ever necessary to watch the expenditure.

Mr. GOSCHEN wished to express his belief, that if the Government showed no reticence with regard to the contracts, there would be no disposition to oppose the Vote.

Vote *agreed to.*

CIVIL SERVICE ESTIMATES.

Class II.—Salaries and Expenses of Public Departments.

(3.) £4,754, to complete the sum for the Lunacy Commission, Scotland.

Mr. J.W. BARCLAY said, that before the Committee passed this Vote, he wished to call attention to the Lunacy Board. A good many years ago an inquiry was held, which recommended that the Lunacy Commission should be amalgamated with the Board of Supervision in Scotland. Paupers in Scotland were under a divided authority, the Board of Supervision had the control of the sane paupers, while the lunatics in the same poorhouse were in the charge of the Lunacy Commission. In consequence of that divided control, pauper lunatics were kept in a much more expensive way than the ordinary paupers. The Lunacy Inspectors had, for example, in one case with which he was acquainted, ordered that large mirrors should be placed in the common rooms of the lunatics. Altogether their interference had caused a largely increased expenditure in the maintenance of pauper lunatics in Scotland. The right hon. Gentleman the First Lord of the Admiralty had said that the matter was under the consideration of the Government; and he wished to ask whether the Government had yet come to a conclusion, and determined, with the view to economy, to transfer the duties of the Lunacy Commission to the Board of Supervision?

Mr. RAMSAY observed, with reference to the statement that the paupers in the poorhouses were under the control of the Board of Supervision, while the lunatics were looked after by the Lunacy Commissioners, that the fact was that the Commissioners in Lunacy had charge of the whole of the lunatics in Scotland, whether paupers or non-paupers. The distinction between the Scottish system and that existing in this country was, that in England wealthy lunatics were under the care of Chancery, and pauper lunatics were either under the care of Boards of Guardians or of the Commissioners of Lunacy. There were thus two classes of lunatics—those in workhouses and those in asylums. In workhouses, the lunatics were under no special authority but that of the Boards of Guardians; while the Asylums were managed by the Lunacy Commissioners. The hon. Gentleman who had brought forward this subject was less perfectly acquainted with it than he usually was with matters which he brought before the House. The truth was that no two public Departments could work together more harmoniously than the Board of Supervision and the Lunacy Commission had done for many years past. No change that could be made would effect any saving to the public in the administration of Lunacy in Scotland. In 1870, there was a discussion in the House with regard to these questions, and some of the evidence given before the Commission appointed was, as he had reason to believe, afterwards withdrawn by the parties who made the statements with regard to the excessive expenditure. The explanations given showed that the statements were made under a misapprehension of the facts.

MR. J. W. BARCLAY said, his complaint was that there were two authorities having jurisdiction in the same poorhouse—the Board of Supervision and the Lunacy Commissioners. He complained of the expenses to which the Inspectors in Lunacy had put the ratepayers by insisting on pauper lunatics being better kept than ordinary paupers. As the expenses of the maintenance of these lunatic paupers had increased very largely, there was ground for interference. So far as he knew, the Report of Lord Camperdown's Commission had never been contradicted, and upon that he relied.

MR. RAMSAY said, that with regard to the lunatics having been put upon a superior dietary to the other paupers, it was well known to be essential that they should receive more nutritious diet than was usually given to paupers.

SIR HENRY SELWIN-IBBETSON said, it had been in contemplation to amalgamate these two Boards. He did not think, however, that there would be any actual reduction in the expenditure from so doing. As to the distinction between the two classes of paupers, it was clearly necessary that there should be such a division; and, so much was the importance of the distinction felt, that not long back the Government gave pauper lunatics in Scotland the same allowance as was made in England. He did not think that if the distinction between the two classes of paupers were abolished there would be much saving of expenditure.

Vote *agreed to.*

(4.) £5,654 to complete the sum for the Registrar General's Office, Scotland.

(5.) Motion made, and Question proposed,

"That a sum, not exceeding £15,618, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Board of Supervision for Relief of the Poor and for Public Health and Vaccination Act, including certain Grants in aid of Local Taxation in Scotland."

MR. DILLWYN wished to know till what hour the Government intended to go on with Supply?

SIR HENRY SELWIN-IBBETSON hoped the Committee would take two more Votes in Supply before Progress was reported.

MR. DILLWYN complained that they had already been in Supply between seven and eight hours. He objected to proceeding with the debatable Votes at that late hour.

MR. O'SHAUGHNESSY did not think that the discussion which would arise on the Irish Votes would conclude that evening in any reasonable time. The best arrangement would be to report Progress when they came to the end of the Scotch Votes.

SIR HENRY SELWIN-IBBETSON proposed to move to report Progress at the first Vote that gave rise to considerable discussion.

MR. RAMSAY said, that before the Vote was agreed to, he wished the hon. Baronet to consider the propriety of having something done with a view to putting Scotland on the same footing as England with regard to the grants for medical attendance and extra food for the sick poor, and for the education of pauper children. There should be some corresponding grant in Scotland for the maintenance of pauper lunatics in workhouse schools. The same difficulty was felt in Scotland as in England—where to put them? The course adopted in England was pursued in Scotland, only that country not having the same population or wealth, the maintenance of the lunatics pressed very hardly upon the ratepayers. Therefore, Scotland asked for the same consideration as other parts of the United Kingdom. Nor did they get anything in aid of the education of pauper children, or any grant corresponding to their population or taxation, in aid of medical relief to the poor. He trusted the Chancellor of the Exchequer would introduce a measure for providing a grant in aid of the education of the children of the poor, and that some arrangement would be made to increase the grant in aid of medical relief to the poor to the same proportion as in England. At present, the amount allowed for vaccination in England was equal to the whole sum granted in aid of medical relief in Scotland.

Sir JOSEPH M'KENNA said, he hoped that the hon. Baronet would also promise to have a revision of the sums voted for the medical service in Ireland, and that he would be able to give to the Irish Members a similar assurance to that which his hon. Friend had asked for.

Sir HENRY SELWIN-IBBETSON thought the hon. Member for Forfarshire (Mr. J. W. Barclay) must be aware that the difference between the two countries must arise very much from the difference between the Poor Law and its action in each country. There was more thrown upon the country in Scotland than in England under the existing Act, and all he could say was, that the subject was one well worth inquiring into.

Mr. RAMSAY said, that the hon. Baronet appeared to be under some misapprehension. The sum of £10,000 was voted for the relief of the ordinary paupers in Scotland, while, in England, a sum amounting to about £180,000 was voted for the same object for which £10,000 was voted in Scotland. Now, what was wanted did not involve any necessity for a change in the law. It was in the practice that they wanted a change made in that respect. The fact was, that they gave to Scotland, in payment of medical relief, less than one-eighteenth of the sum that was voted in England.

Mr. M'LAREN said, that that grant for Poor Law expenditure had nothing whatever to do with Lunacy. It was merely for the Poor Law workhouses in Scotland; and a few years ago a large deputation of Scotch Members of Parliament from both sides of the House waited upon the Chancellor of the Exchequer to represent the great injustice that was done to Scotland in that matter as compared with England, and the Chancellor of the Exchequer agreed with that representation. Accordingly, there was a Scotch Bill introduced to remedy that evil; but, like most of the Scotch measures, it was allowed to sleep, and, doubtless, it was sleeping still.

Sir HENRY SELWIN-IBBETSON said, that that Bill had already been brought in by the Government, and it was proposed to leave that very question to the Bill. He could not promise to re-introduce the Bill that Session, but he hoped to do so before very long.

Mr. PARNELL wished to support the demand which had been made by the Scotch Members as regarded the assistance to medical relief. The allowance that had been made to England was 18 times as large as that which was given to Scotland. His hon. Friend the Member for Youghal (Sir Joseph M'Kenna) had wished that the hon. Baronet should also direct his attention to the allowance made to Ireland. Now, he (Mr. Parnell) thought that Ireland was very fairly treated as regarded medical relief. It had always struck him that in the Estimates presented to Parliament the amount paid by Parliament to Ireland was one of the most advantageous Estimates presented; but he thought it would be fair to the Scotch to give them a larger allowance than they possessed at present.

Mr. J. W. BARCLAY said, he understood that the arrangement was that in England the Government paid one-half of the medical expenses of the Unions; but, in Scotland, a lump sum of only £10,000 was paid. Now, two years ago, a deputation had waited upon the Chancellor of the Exchequer, who then gave them an assurance that the amount would be increased. All that they asked was that the same treatment should be extended to Scotland as was enjoyed by England, and that the Government should vote to the Poor Law Board one-half of the medical expenses.

He did not think that Scotland had been well treated in that matter; and, therefore, in order to give the Government time to consider the matter, he would move to report Progress, and ask leave to sit again. He believed that no other step would be effective. There had been a promise made, two years ago, that something would be done, but no Progress had been made; and, so long as they allowed themselves to be put off by promises, nothing would be done.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. James Barclay.*)

SIR HENRY SELWIN-IBBETSON hoped, that after what he had stated, the Committee would at least consent to take that Vote.

Question put, and *negatived.*

MR. RAMSAY said, he really thought they ought to have some assurance from the Government that the promise given two years ago would be acted upon. It was merely a vote of the House that was required; and if the hon. Baronet would undertake that the promise made by the Chancellor of the Exchequer should be fulfilled without reference to further legislation, he should be very sorry, indeed, to put the Committee to the trouble of a division.

SIR HENRY SELWIN-IBBETSON said, that the promise given by the Chancellor of the Exchequer was one made upon a condition. An attempt had been made to carry out the engagements of that condition, and he felt that any pledge he might give them would be merely carrying out the intention of the Chancellor of the Exchequer.

MR. J. W. BARCLAY said, that he saw the right hon. Gentleman the Chancellor of the Exchequer in his place, and he wished to remind him of the promise he gave to the deputation that came up from Scotland two years ago, that the medical grant to the Poor Law Boards of Scotland should be placed on a similar footing to that in England. At the present time the grant was 18 times greater in England than was the case in Scotland. Some excuses had been made to the effect that the cases were not similar; but the responsibility of bringing in a Bill rested upon the Government, and he did not think it was fair to Scotland that, because the Government could not pass their Bill through, Scotland should be kept short of its fair and proper allowance. All that they asked was to be put upon a similar footing to England; and he hoped that the Chancellor of the Exchequer would offer them some opinion on this point.

THE CHANCELLOR OF THE EXCHEQUER said, he was not quite sure what the point under discussion was; but he understood that it was with reference to a promise which he gave to a deputation from Scotland two years ago. What he understood then passed was that he admitted that the case was one that required consideration; that an alteration should be made, and that the medical officers should be placed upon the same footing as in England, but that that would necessitate an alteration of the law. And he was in hopes that that might have been dealt with by an alteration in the Scotch Poor Law to that effect. He thought the Bill was introduced in consequence of the visit of the deputation, but it had not made so much progress as it might have done, though he believed there was an intention to proceed with it.

MR. RAMSAY said, that the fact was that legislation was not necessary to do Scotland justice. He thought it would be very well if the amount to be paid to England, Scotland, and Ireland for local purposes could be estimated, because it was admitted that they received less money from the Treasury than England or Ireland, while they were twitted in that House with receiving a greater amount than they were entitled to. So long as monies were paid from the Imperial Treasury for local purposes, he thought it would be well if the people of Scotland were put upon the same footing as those of Ireland and England, for which purpose there need not be any change in the law whatever. He considered it would be advantageous to appoint a Select Committee to ascertain what proportion was paid to each of the three divisions in that Kingdom.

MR. MARK STEWART said, he certainly must add his emphatic protest against the delay which had taken place in not having already acceded to the request of the deputation, a request which was generally considered to be conceded at the moment. There was a very strong feeling in Scotland on this question, and that deputation represented opinion from all parts of the country. They asked for very few boons for Scotland, and nothing but what they believed was justice; and, therefore, he hoped that another year would not pass without an attempt being made by the Government to deal with that particular point, and render justice to Scotland.

MR. M'LAREN said, that the hon. Member for Meath (Mr. Parnell) had stated the case of Scotland quite correctly. The fact was, that where Scotland got £1,000 for Poor Law medical purposes, England got £18,000; and yet, where Scotland paid £1 to the National Exchequer, England only paid £7; so that while Scotland paid one-seventh, she only received one-eighteenth. A Bill had been brought in, but a variety of things had arisen which had stopped its progress. For his own part, he was not at all satisfied with a Member of the Government getting up, and saying—"You may depend upon it this will not be lost sight of." It might be taken up many times, and it might not be taken up at all. There was no need for any alteration whatever in the law, and it was in the power of the Chancellor of the Exchequer to put an additional sum in a Supplementary Estimate for the purpose.

SIR JOSEPH M'KENNA said, that since he had last addressed the Committee on the subject, he had examined the Returns, and could now speak very confidently upon the subject of the unfair treatment of Scotland in comparison with either England or Ireland. He did not think, on the other hand, that the remedy for the evil which he admitted existed ought to be postponed until some general Poor Law Bills could be brought in, but should be dealt with as quickly as possible.

Original Question put, and *agreed to.*

Resolutions to be reported *To-morrow;*

Committee to sit again upon *Wednesday.*

CONWAY BRIDGE (COMPOSITION OF DEBT) BILL—[BILL 150.]

(*Sir Henry Selwin-Ibbetson, Mr. Gerard Noel.*)

SECOND READING.

Order for Second Reading read.

SIR HENRY SELWIN-IBBETSON, in moving that the Bill be now read a second time, said, that the Return which was moved for by the hon. Member for Gloucester (Mr. Monk) showed the actual amount of the indebtedness of the trustees of the bridge to the Government. The result of the proposals in the Bill would be to pay the sum of £10,000 to the Government in lieu of all indebtedness on the part of the trustees of the bridge, which indebtedness was being added to at the rate of nearly £1,000 a-year. It was thought a good bargain by the trustees to have transferred to them the future management of the bridge, whilst they paid at the same time, in discharge of all outstanding debts, the sum he had mentioned. The conditions on which the trustees accepted this were that they should reduce the toll, which was very oppressive, at once upon taking the management, and that any surplus receipts which might afterwards be made should be applied in further reduction of the toll. He believed that thus the public would benefit as well as the Government, who would at once get rid of a charge upon the country, and wipe off a debt which at present stood without any prospect of its being discharged.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Henry Selwin-Ibbetson.*)

MR. MONK said, he should only trespass upon the attention of the House for a very few moments. When this Bill was brought in, it was one nominally to compound a debt of £40,000, with interest, which had accrued since the year 1822 on the Conway Bridge, for a sum of £10,000. It did not appear upon the face of the Bill what was the amount of interest paid, or the cost of maintenance, and he, therefore, moved for a Return, which his hon. Friend the Secretary to the Treasury at once granted. That Return was now in the hands of hon. Members. The hon. Baronet had explained pretty fairly to the House how the case stood. The whole question which the House had to consider was, whether the bargain that had been made was a good one or not. The sum which had been advanced by the Government, in addition to the £40,000, was £39,068. Therefore, the whole amount of the debt was £79,068. The average amount of the tolls was £535 per annum, and there was besides a sum of £260 paid as a kind of rent-charge by the London and North-Western Railway Company, making altogether £795 a-year. From this had to be deducted the average cost of maintenance—namely, £185, leaving a net sum payable to the Government of £610. Now, what the House had to consider was, whether it was desirable to compound a debt of £79,000 for £10,000, when they were receiving at the present moment a net sum of £610 a-year. No doubt, as his hon. Friend had said, the cost of maintenance might be larger in future years; and he had, in fact, kindly furnished him with particulars, showing that the cost would amount to about £22 a-year more than it did at present. But the Government would still be left in receipt of a net sum of £580 a-year, and he must say that he thought, under these circumstances, they had made a bad bargain in offering to accept the sum of £10,000. These facts were now before the House, being contained in the Return which had been laid on the Table; and if the House thought it desirable that this debt should be compounded for the sum in question, he should certainly not raise any further opposition to the Bill.

Motion *agreed to.*

Bill read a second time, and *committed* for *Thursday.*

UNDER SECRETARIES OF STATE BILL.

(*Mr. Assheton Cross, The Lord Advocate.*)

[BILL 181.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Henry Selwin-Ibbetson.*)

MR. M'LAREN thought it was hardly reasonable that the House should be asked to read this Bill a second time at so late a period of the Sitting. He had, however, communicated with the Lord Advocate upon the subject; and he understood from him that if the Scotch Members would allow the second reading to pass just then without any opposition, the Government would undertake that on the Motion to go into Committee on the Bill an opportunity would be afforded for a full discussion of its provisions. The same remark would apply to the succeeding measure—The Lord Clerk Register (Scotland) Bill. He might just state that there were parties in the General Register and Subsidiary Offices who thought they would be injuriously affected by these Bills, and a deputation had, he believed, left Edinburgh that night for London for the purpose of seeing the Lord Advocate and the Home Secretary on the subject. However, he was not going to detain the House, and if the Government would accede to the suggestion he had made, he should not offer any further opposition to the second reading.

THE LORD ADVOCATE thought the suggestion of the hon. Member for Edinburgh was a very reasonable one, and he was quite prepared to accede to it.

MR. DILLWYN said, he should like to know what was meant by this Bill? He did not approve of the practice of taking the second reading of Bills as a matter of course; because, afterwards, if any objection should be raised to a particular measure, the House might be told that it had already accepted its principle. It was of late very much in vogue to take the second reading of Bills, and have the discussion upon them on going into Committee. He thought that if any explanation of the principle of a measure were given at all, it should be made when the House was asked to read it a second time.

MR. ASSHETON CROSS said, that with respect to the question of principle, he quite concurred in the opinion that had been expressed by the hon. Member for Swansea (Mr. Dillwyn); but in this case the whole thing was fully explained when he asked for leave to introduce the Bill, so far as the principle was concerned. He did not think he need go further into the matter at the present moment.

MR. FRASER MACKINTOSH must really ask the Home Secretary to reconsider what he had just said. He was present when leave was given to bring in the Bill, and not a single word was said on the subject.

Mr. ASSHETON CROSS trusted that the House would excuse him for one moment. Technically, he might have been wrong in saying that when he introduced the Bill he explained fully its object. On that occasion, he might have got up and simply said that the Bill would carry out what he had stated the night before. The whole thing, however, was fully explained.

Mr. DALRYMPLE said, he could testify that some explanation was given in advance, and his impression was that it was in answer to a Question put by the hon. and gallant Gentleman the Member for East Aberdeenshire (Sir Alexander Gordon). He was not aware that there had been any understanding that the discussion on the Bill itself should be taken at a later stage. It seemed to him that such an arrangement was attended with great inconvenience — the second reading being the proper stage at which to take the discussion on the principle of any Bill. He merely wished to say that, founding himself entirely on the answer to which he had referred, there was to him something extremely objectionable in the manner in which it was proposed that the Under Secretary of State for Scotland should be paid. The proposal seemed to be that he should be paid by salary to be provided out of the Office of the Lord Clerk Register of Scotland. Now, it seemed to him that if it were right to appoint an Under Secretary of State for Scotland—and as to that he offered no opinion—he ought to be paid in the same manner as other Under Secretaries of State were paid. He believed the Statute directed that if any saving were effected, the proceeds should be applied to the reduction of fees in that Office; and, therefore, it was not within the power of Parliament to take this money and apply it to this object. But he asserted that it was really a reflection upon the appointment to take a salary from one Officer of State in Scotland and apply it to this purpose. He repeated, that if it were desirable to appoint an Under Secretary of State for Scotland, he ought to be paid in the same manner as other Under Secretaries of State were paid.

Mr. M'LAREN desired to correct one statement that had been made by his hon. Friend the Member for Buteshire (Mr. Dalrymple). The Statute which referred to the reduction of fees in certain contingencies did not apply to this Office, but to the Register of Sasines.

Mr. J. W. BARCLAY quite agreed with the remarks of the hon. Member for Buteshire respecting the way in which it was proposed to pay the Under Secretary of State for Scotland. Moreover, if he was not mistaken, the amount of his salary was to be £1,200. [Mr. Assheton Cross: £1,500.] He (Mr. Barclay) did not think there was any other Under Secretary of State whose salary was so small. He hoped that this matter would be duly attended to; and that if it were deemed desirable that an Under Secretary of State for Scotland should be appointed, he would be put in as fair, honourable, and independent a position as any of the others.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

GOLD AND SILVER HALL MARKING.

Ordered, That the Select Committee on Gold and Silver Hall Marking do consist of Seventeen Members:—Mr. Bates, Colonel Blackburne, Mr. Campbell-Bannerman, Mr. Courtney, Mr. Orr Ewing, Mr. Freshfield, Mr. Goschen, Mr. Hamond, Mr. Thomson Hankey, Mr. Muntz, Sir Patrick O'Brien, Mr. Onslow, Sir Charles Russell, Mr. Talbot, Mr. Torr, Mr. Whitwell, and Sir Henry Jackson:—Power to send for persons, papers, and records; Five to be the quorum.—(*Sir Henry Jackson.*)

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, 28*th May,* 1878.

MINUTES.]—Public Bills—*First Reading*— General Police and Improvement Provisional Order (Paisley) * (91); Local Government Provisional Orders (Birmingham, &c.) * (95).

Second Reading — Public Health Act (1875) Amendment (85); Bills of Sale (80).

Second Reading—Referred to Select Committee— Metropolis Management and Building Acts Amendment (72).

Committee—Acknowledgment of Deeds by Married Women (Ireland) * (87).

Report— Contagious Diseases (Animals) (88).

PUBLIC HEALTH ACT (1875) AMENDMENT BILL—(No. 85.)

(*The Earl of Kimberley.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF KIMBERLEY, in moving that the Bill, which had come up from the Commons, be now read the second time, said, that the measure might be explained in a few words. The object of it was to enable rural sanitary authorities to provide or require provision of a sufficient supply of wholesome water for the domestic use of the houses within their district. Where it appeared to the rural sanitary authorities that any house within their district had not such supply within a reasonable distance, and they were of opinion that such supply could be provided at a reasonable cost, not exceeding a capital sum the interest on which, at the rate of 5 per cent per annum, would amount to 2*d.* per week, or at such other cost as the Local Government Board might determine under the circumstances of the case to be reasonable, they might call on the owner of the House to provide it, and, in case of his non-compliance, provide it themselves, and recover the expense from the owner by summary process. The Bill further provided that, in the case of all houses built after the passing of the Act, it was not lawful for the owner to occupy it himself, or to let it to others for occupation unless the sanitary authority was satisfied that there was a sufficient water supply. He intended, in Committee, to propose an Amendment extending the appeal given by the Bill to owners of existing houses against whom orders were made to owners of houses to whom the rural sanitary authorities refused certificates. This Bill only extended to water supply the principle embodied in the existing Sanitary Acts with reference to the prevention of nuisances and overcrowding.

Moved, "That the Bill be now read 2ª."—(*The Earl of Kimberley.*)

THE DUKE OF RICHMOND AND GORDON, while he admitted that the aim of the Bill was laudable, wished to guard himself against being supposed to agree in all its details. He thought that it would require amendment at the hands of a Select Committee. If there were no available supply of water within reasonable distance, it would be rather hard to condemn an owner. Again, there were points connected with the area of taxation which would have to be considered by the Committee.

THE MARQUESS OF SALISBURY also was of opinion that caution was required in legislation of this description. In many rural districts a water supply for cottage use was to be obtained only in one or other of two ways—either by sending to a distance for it, or by storing rain-water. In the latter case cisterns must be erected; and this would make a considerable addition to the expense of cottages, which at present often cost a good deal more than could be derived from them in rent. In many parts of the country there was a strong prejudice against the use of rain-water for domestic purposes. It might be well, therefore, to have a declaration in the Bill that rain-water was wholesome. He thought there would be many difficulties in putting the Bill into operation.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

METROPOLIS MANAGEMENT AND BUILDING ACTS AMENDMENT BILL.

(*The Viscount Midleton.*)

(NO. 75.) SECOND READING.

Order of the Day for the Second Reading, read.

VISCOUNT MIDLETON, in moving that the Bill be now read a second time, said, that it had been very fully discussed in the House of Commons. The first part dealt with the erection of houses or buildings at less than a prescribed distance from the centre of roads, passages, and highways, to the opening of roads and streets, and to structural defects in theatres and music-halls; the second part contained provisions for bye-laws in reference to foundations; and the third part dealt chiefly with powers of inspection. As there were Petitions before their Lordships' House with respect to the Bill, it would go before a Committee named by the Committee of Selection.

Motion *agreed to;* Bill read 2ª accordingly, and *referred* to a Select Committee; the Committee to be proposed by the Committee of Selection.

BILLS OF SALE BILL—(No. 80.)

(*The Lord Selborne.*)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD SELBORNE, in moving that the Bill be now read a second time, said, that the object of the measure, which had come up from the Commons, was to consolidate and in some degree amend the Bills of Sale Act of 1854 and the Bills of Sale Act of 1856. The greater part of the measure dealt with consolidation of previous legislation. By the 9th clause, it was enacted that every bill of sale should be registered within seven days instead of 21, as at present—otherwise, should be void as against trustees in bankruptcy, liquidation, or process of Court; and that any renewal of such registration, or subsequent bill of sale, of the same chattels for the same debt, shall be void. The other principal alterations proposed to be made in the law relate to mortgages of fixtures, and to securities upon personal chattels in the form of leases reserving rent. The Bill would, no doubt, require amendment in Committee.

Moved, "That the Bill be now read 2ª."—(*The Lord Selborne.*)

THE LORD CHANCELLOR signified his approval of the purpose of the Bill.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* the 18*th of June* next.

CONTAGIOUS DISEASES (ANIMALS) BILL—(Nos. 22, 37, 76, 88.)

(*The Lord President.*)

REPORT OF THE AMENDMENTS.

Amendments *reported* (according to Order).

THE MARQUESS OF RIPON asked the Lord President whether in the Annual Reports of the Veterinary Department information would, in future, be given on the subject of foot-and-mouth disease, as well as on that of pleuro-pneumonia?

THE DUKE OF RICHMOND AND GORDON said, that the information on foot-and-mouth disease had been discontinued in the Reports in consequence of the difficulty and expense of compiling it. He would, however, endeavour to obtain the fullest information practicable.

Bill to be read 3ª on *Friday* next.

ARMY—THE AUXILIARY FORCES—THE MILITIA.—QUESTION.

MOTION FOR A RETURN.

LORD CAMPBELL, in rising to put a Question, and to move for a Return, according to a Notice on the Paper, said: My first intention was, before Easter, to have put the Question at 5 o'clock in the more usual, although less formal, manner. However, the noble Viscount, who for a short time has represented the War Office in this House, objected to that course, and it is very immaterial which of them is adopted. Indeed, the course which he preferred has one advantage not belonging to the other. It enables the commanders of Militia regiments to deliver their opinions to the House, as to whether it would be judicious to render their branch of the Auxiliary Forces more available for foreign service than it is at present. A Government might urge that unless the opinion of Militia officers was fully ascertained, they could not make up their minds as to the policy of what had been suggested. For instance, if commanders generally thought that recruiting would be more difficult when the sphere of the Militia was enlarged, it would not be prudent to enlarge it. If, on the contrary, it seemed to them that a remote contingency of foreign service would be attractive to the rural population, a change in that sense as regards the Force itself has much to recommend it. I venture to engage Militia officers to furnish information upon this and other points to-night; nor shall I be in their way for more than a few minutes. The *primâ facie* ground for now considering whether the Militia should be only a domestic, or what is sometimes termed a sedentary, Force, occurs to anyone who recollects the time and manner in which the Volunteers, as they are constituted now, were brought into existence. The period was 1859. It was then considered that the French Government, however friendly it had been in the Crimean War, was uncertain in its aims, and, therefore, capable of enterprize in any possible direction. Some new defence at home beyond the Militia, which had been re-organized in 1852, was thought to be appropriate. So, down to 1870, the co-existence of the two Forces for aims completely insular, exclusively domestic, had a plausible excuse, although not, perhaps, a thoroughly convincing one. In 1870, that excuse may be considered to have vanished. Security from France became greater than it had ever been during the century. The system of confining two large Armies to the United Kingdom lost the basis it had formerly possessed. The question which then arose would naturally be as to disbanding one, or giving to the other greater elasticity. If the Militia were available abroad, Volunteers at home would be essential to replace them. But while the Militia is unavailable abroad, Volunteers, now that the danger which suggested their formation has passed away, can hardly urge their previous title to the expense which they involve. Now, the policy of employing the Militia in some degree on foreign service is not at all a new one. It was conspicuous in the Peninsula. Regiments volunteered and took their part in the campaigns. There is an Act of Parliament, the 54 *Geo.* III. c. 1, to regulate the new position they assumed, and *Clode on the Military Forces of the Crown*, has amply discussed it. The inconveniences, however, of such a fragmentary and precarious arrangement cannot be denied. It cannot possibly obtain one great advantage in diplomacy. The knowledge that so large a Force might join in any service the Executive required would lead to a desirable effect, although not a regiment quitted our shores. At present their moral value depends on their material exertion. It remains to defend the Return I move for. The number of effectives in the Auxiliary Forces illustrates the force now locked up; and, if given under the different heads of Militia, Volunteers, and Yeomanry, would show to what extent the two latter are sufficient for the object to which all three under the present system are confined. Let me add, in concluding, that, although the Question I put is, no doubt, a form of recommending to the attention of the Government a military change, it is only in connection with the difficulties of the Eastern Question I have urged it. It has been stated that a Congress at Berlin is likely to take place. Having resided during the adjournment in that capital, and become convinced by intercourse with diplomatic and political society that such a Congress only tends to war, I cannot reproach myself for bringing before the House at least one method or preparing for it. At the same time, I do not ask the Government to commit themselves to an opinion, if reluctant so to do, as to the use of the Militia. The Return, I trust, they will not hesitate in granting.

Moved, That an humble Address be presented to Her Majesty for Return of the number of effectives in the Auxiliary Forces at the beginning of the financial year.—(*The Lord Stratheden and Campbell.*)

VISCOUNT BURY said, the noble Lord had brought this irrepressible question respecting the Militia before their Lordships at least four or five times this Session. First of all, it appeared in the form of a Question to Her Majesty's Government, as to whether they were disposed to make any change in the constitution of the Militia —which change the noble Lord had since shadowed forth more than once. The present Question had been upon the Notice Paper of the House at least six weeks, and during that period it had been several times altered in its form, and the day upon which it was to be asked, without the slightest consultation with those whose duty it would be to answer it. He must say that it would be more convenient for their Lordships if, in future, when the noble Lord gave Notice of a Question, he would study its form, and ask it on the day on which it was set down. As to the Question itself, he had no hesitation in answering it. The noble Lord asked whether they had in view any proposal for the alteration of the constitution of the Militia? Now, from time immemorial, the Militia had been enlisted for service within the United Kingdom. He would not follow the noble Lord into precedents of the time of George III., but he would state for the information of their Lordships that, by the Militia Act of 1875, sec. 50, it was enacted—

"It shall be lawful for Her Majesty to employ in the Islands of Malta, Guernsey, Jersey, Alderney, and Sark, the Isle of Man, and the garrison of Gibraltar, or any of them, such part of the Militia as may make a voluntary offer, duly certified by their respective commanding officers, so to extend their services, and as Her Majesty may think proper to permit to extend their servicces in consequence of such voluntary offers as aforesaid."

That was the basis upon which the Militia was now enlisted, and on which he hoped it would always be enlisted. During the last war, it was employed to garrison the Mediterranean, and the Militia were sent to Malta and Gibraltar with their own consent. The noble Lord now asked, in effect, if the Government proposed to change the character of that Force, and make the Militia available for foreign service everywhere without going through the preliminary of asking their consent? If any such fundamental change were made in the Militia, it would be necessary to release every militiaman from his engagements, and they would be in this position—that, instead of adding to the Defensive Force, they would really have no Militia at all. Her Majesty's Government were not going to advocate any such change. Indeed, there was no necessity for any such step, as, under present regulations, any militiaman willing to enlist for general service could be transferred to the Line, and receive a free kit for doing so. They were quite satisfied that the Militia, on its present basis, would satisfy the requirements of the country. With regard to the question as to the Returns of the effective Auxiliary Forces at the commencement of the financial year, if the noble Lord referred to the ordinary sources of information, he would find on their Lordships' Table a Return of the number of Militia, Yeomanry, and Volunteers; but, if he did not wish to trouble himself by doing so, he would inform him that in February, 1877, the total number of efficients on the dates on which the several regiments were inspected in 1877 were — Militia, 102,877; Yeomanry, 10,736; Volunteers, 193,026; total, 306,639.

Lord CAMPBELL rose to make some answer, but the adjournment of the House having been moved, was prevented from doing so.

Motion (by leave of the House) *withdrawn.*

House adjourned at Six o clock, to Friday next, half past Ten oclock.

HOUSE OF COMMONS,

Tuesday, 28th May, 1878.

MINUTES.]—Select Committee—Parliamentary Reporting, *appointed;* Parliamentary and Municipal Elections (Hours of Polling), Mr. Charley *discharged,* Mr. Alfred Gathorne-Hardy *added.*

Public Bills — *Ordered*—Epping Forest; Inclosure Provisional Order (Llanfair Waterdine) *; Inclosure Provisional Order (Orford) *.

Second Reading—Hypothec (Scotland) * [29], [House counted out].

Withdrawn—Sale of Intoxicating Liquors on Sunday * [5].

QUESTIONS.

CRIMINAL LAW — CASE OF THOMAS GRIFFITHS.—QUESTION.

Mr. P. A. TAYLOR asked the Secretary of State for the Home Department, Whether his attention has been called to the case of Thomas Griffiths, of Cymer, near Pontypridd, at present undergoing a sentence of three months' imprisonment with hard labour, (under an old Act of Parliament), for fraudulently and clandestinely removing his goods to prevent a distress for rent, the said removal having been (it is alleged) made openly at mid-day, and after an arrangement had been made with the wife of his landlord sanctioning such removal, on condition of his paying the rent by instalments of 5*s.* per week; and whether, if the facts are as alleged, he will cause the remainder of the punishment to be remitted?

Mr. ASSHETON CROSS, in reply, said, that this was a matter over which the magistrates had perfect jurisdiction, because an offence was undoubtedly committed under the Statute 10 *Geo.* II. c. 19. There could be no doubt that the evidence which was presented to the magistrates justified them in giving the opinion which they did. The point about the payment of 5*s.* a-week seemed not to be supported by the evidence. The magistrates thought that it was right that two months should be given to the man either to appeal to Quarter Sessions or to pay the money. He neither appealed nor paid the money, and it was only after two months had elapsed that the commitment took effect. The magistrates had, however, no desire to be severe, and half the punishment would be remitted.

GRANTHAM COUNTY COURT—CASE OF MARGARET CARROLL.—QUESTION.

MR. P. A. TAYLOR asked the Secretary of State for the Home Department, If his attention has been called to the case of Margaret Carroll, who, on the 13th instant, was committed to prison for fourteen days by the judge of Grantham County Court for contempt of court because, as is alleged, she did not give an intelligible explanation of a fact of which, it was subsequently proved, that she could have had no knowledge; whether the judge is correctly reported to have said, in answer to a remonstrance—"I will read you people a lesson; you are not to come here and tell those abominable lies;" and, whether he will take any steps in the matter?

MR. ASSHETON CROSS: Sir, the attention of the Lord Chancellor had been called to this matter before the hon. Member's Notice appeared on the Paper. His Lordship put himself into communication with the Judge in question, and has received his explanation of the matter. There can be no doubt, I think, that the Judge exceeded his authority; but the Lord Chancellor has at this moment the whole matter under his consideration, and when I hear what he has decided, I will communicate the information to the House.

DOMINION OF CANADA—CANADA TEMPERANCE BILL.—QUESTION.

SIR ALEXANDER GORDON asked the Secretary of State for the Colonies, If he can inform the House whether a permissive prohibitory measure, under the title of "The Canada Temperance Bill, 1878," introduced by the Government of Canada, has passed through the Dominion Parliament and received the Royal Assent; and, if so, whether he will lay a Copy of the Act upon the Table of the House, or provide a synopsis for the use of Members?

SIR MICHAEL HICKS-BEACH: Sir, I do not know whether any such measure as the Canada Temperance Bill has passed the Dominion Parliament; but if it has, it would seem to be of a nature which would justify the Governor General in giving the Assent of the Crown to it, without reserving it for consideration by the Home Government. In that case it would in due time be sent home with other Acts of the Session, and, I believe, a copy would be placed in the Library of this House, but I have no copy of any such Act at present.

MERCHANT SHIPPING ACT, 1854—THE PORT OF CARDIFF.—QUESTION.

MR. PULESTON asked the President of the Board of Trade, as to the suspension of two pilots at Cardiff, Whether Howe, one of the suspended pilots, had a first-class certificate, and was acting on an experience of twenty-one years, when he declined to take a vessel out of Cardiff when, as he alleged, there was not sufficient depth of water outside the Bute Docks to enable him to do so with safety; and, whether the Board of Trade contemplates having the channel leading to the port of Cardiff surveyed by an independent authority, with a view to either reinstating the two pilots or confirming their suspension?

VISCOUNT SANDON: Sir, I find from the annual Pilotage Returns for the year 1857, that John Howe was then acting as a licensed pilot at Cardiff. I presume, therefore, that he has an experience of 21 years. The latest published Return shows that he was then a first-class Channel pilot. The Pilotage Board at Cardiff is constituted under the Bristol Channel Pilotage Act 1861, which gives to the Board of Trade no controlling power in the matter of pilotage, and section 336 of the Merchant Shipping Act of 1854, the only section of a general Act which gives any power to the Board of Trade in these matters, only enables me to consider representations from pilots who complain of some specific bye-law or regulation, and gives me no power whatever to interfere in any other way between pilots and Pilotage Boards. I am not, therefore, in a postion either to re-instate the pilots or to confirm their suspension. As to a survey of the Channel, the Board of Trade have no funds at their disposal for making the suggested survey; but we were informed early in the year that the Bute trustees, who originally cut the Channel, were about to remove the obstructions that had grown up in it. As this subject excites considerable public attention, and is a matter of great interest to pilots generally, a most valuable and industrious class of men, I shall be happy to lay the Correspondence on the Table as soon as it is completed, if my hon. Friend will move for it.

THE CHARLTON CHARITY.

QUESTION.

MR. ERRINGTON asked Mr. Attorney General for Ireland, If he can state how soon the awards of the Lord Chancellor of Ireland under the new Scheme of the Charlton Charity will be made public, and the money distributed?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON): Sir, I have communicated with the Solicitors to the Commissioners of Charitable Donations and Bequests in Ireland, with whom this matter rests, and I have been informed by them that they expect the whole matter will be concluded in a fortnight.

PARLIAMENT — BUSINESS OF THE HOUSE — CONTAGIOUS DISEASES (ANIMALS) BILL.—QUESTION.

MR. W. E. FORSTER wished to ask Mr. Chancellor of the Exchequer a Question of which he had given him private Notice. The House was, no doubt, aware that an important measure, the Contagious Diseases (Animals) Bill, had been under consideration in "another place," and, as it would probably come down to that House very speedily, he wished to ask, When the Government proposed to take the second reading; and to suggest that, in order to afford time for the consideration of the alterations made in it, the measure should not be taken before Whitsuntide?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he was unable to state when the Government would be in a position to take the Bill; but it certainly could not be before Whitsuntide, as the chief Business of the Government now was Supply.

PARLIAMENT — BUSINESS OF THE HOUSE — COUNTY GOVERNMENT BILL.—QUESTION.

MR. KNATCHBULL - HUGESSEN asked Mr. Chancellor of the Exchequer, When the County Government Bill which stood for Thursday next, would be proceeded with? The Bill had been so frequently postponed that it might as well be put out of its misery at once.

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he did not exactly know what the right hon. Gentleman meant by these expressions; but it was certainly necessary for the Government to proceed with Supply, and it was their intention to go on with Supply on Thursday. In all probability he should propose a Morning Sitting on Friday for the same purpose.

BUSINESS OF THE HOUSE—IRISH UNIVERSITY EDUCATION.

OBSERVATIONS.

MAJOR NOLAN: I wish to make a few remarks on what the Chancellor of the Exchequer has said, and to do so in Order I will move the adjournment of the House. The Chancellor of the Exchequer stated that he would have to take a Morning Sitting on Friday. He was not, perhaps, aware, when he stated that, that the Irish Members, as represented by the hon. Member for Roscommon (the O'Conor Don), have a Motion on that day, to which they attach the greatest importance — perhaps more importance than to any other matter that they have brought forward this Session—namely, University Education. It is perfectly useless our coming here if we do not have an opportunity of debating this question. I should very much prefer to take a Morning Sitting on Saturday, and I should be willing to give up my whole holidays rather than give up the ordinary Sitting on Friday. I hope the right hon. Gentleman will not persist in his intention, for if he does it will be my duty to oppose it. If any other day were taken, I should be happy to assist the Government.

THE O'CONOR DON, in seconding the Motion, said: The Motion which stands in my name for Friday is one in which the greatest interest is taken in Ireland, and it is important that the discussion should take place on that day. I do not wish in any way to threaten the Government, and I hope no language of that character may be used; but if they persevere in the intention that has been expressed, I am afraid it will not expedite Public Business. I would appeal to the Chancellor of the Exchequer, that as this Motion is one in which so much interest is felt, and the importance of which the Government has admitted, whether it would be fair to take away from private Members the time which is usually theirs? We do not ask the Government to give us any time which the Government usually have; we merely ask that, on a question of this importance, they should not take away the time of private Members.

Motion made, and Question proposed, "That this House do now adjourn."—(*Major Nolan.*)

THE CHANCELLOR OF THE EXCHEQUER: I can assure the House and the hon. Gentleman who has just spoken that nothing is further from my thought or that of the Government than to stand in the way of the discussion of the important Motion of which he has given Notice, and I hope it may be possible for us to take a fair discussion on the subject on Friday. But I must point out to them, and to other hon. Gentlemen who take an interest in this question, that really the fault that we are obliged to have recourse to this step will not lie with the Government. The House is perfectly well aware that it is essentially necessary for the Business of the country that we should go on with our Votes in Supply. They are perfectly well aware that the Government laid aside and postponed many measures of considerable importance, which they were now anxious to proceed with, for no other purpose than to give an opportunity for proceeding with Supply. They know that we took a Vote on account before the Recess, when we pledged ourselves, as far as we could, that we would not ask for another Vote of Credit, and to prevent our going to that necessity we have been proceeding with Supply night after night. But I am bound to say that we have come to the point that we shall be obliged to come for another Vote on account. Whether that be so or not, it is within the knowledge of all the Members of this House that the mode in which the Estimates have been opposed and questions raised upon them, renders it absolutely impossible for us to conduct the Business of the House satisfactorily. As matters stand all I can say is that if we make proper progress in Supply on Thursday I should not think of proposing a Morning Sitting on Friday. But it is in anticipation of our being in the same position as we have been several times recently that I have been obliged to give the intimation.

MR. MITCHELL HENRY: I suppose the right hon. Gentleman refers to the Motion which came on first on the Motion that the Speaker do leave the Chair. But I would refer the Government to the fact that if any hon. Members have discussed the Estimates at greater length than is altogether according to the wishes of the Government that is a matter for which the hon. Members themselves are responsible. It has not been the intention of the Irish Members generally to obstruct the Estimates, and I, for my part, should object to the sins of particular individuals being visited on the whole Irish people. The Irish Members, however, have a right to discuss every Estimate that comes before the House. They have on a former occasion entreated the Government to take into consideration various important questions, especially relating to education—University Education and the Queen's Colleges. Year after year we have appealed to the Government to consider these subjects without result. We have brought forward Bills to remedy these grievances, but ever since the present Government has been in power we have not succeeded in passing a single measure of benefit to Ireland. It is, therefore, out of the question to suppose that Irish Members will consent to forego the bringing forward this Motion with respect to University Education, which Motion ought, indeed, to be brought forward by the Government itself, which has almost pledged itself to consider the matter. But every responsibility relating to Irish measures the Government have shirked. I have not joined in the discussions that have been raised recently; but it will be very unfortunate if the Chancellor of the Exchequer assumes the tone that he will endeavour to visit the sins of certain individuals whom he thinks have offended on the whole body of the Irish people. My hon. and gallant Colleague made a proposition which shows *bonâ fide* our intention in proposing to give up Saturday for a Morning Sitting. I believe we should all prefer to give up Saturday for a Morning Sitting rather than have this important discussion interfered with. The House would not desire anyone to hold out the semblance of a threat to the Chancellor of the Exchequer, and I hope he will take these remarks in good part, and understand that they only indicate the great importance we attach to this discussion, which ought naturally to come on on Friday.

MR. O'SHAUGHNESSY: The Chancellor of the Exchequer is anxious to have a Morning Sitting on Friday, which would mean postponing the discussion of the University Bill. I wish to note to the House that I have on the Notice Paper, before going into Committee of Supply, for Friday, a Motion on the subject of Irish Intermediate Education, and that will probably occupy three or four hours. There is one way in which the matter could be settled, and that is that the Minister who represents Ireland would, in half-an-hour, state on the first reading what he means to do with regard to what has been promised for four years on the subject of Intermediate Education.

MR. PARNELL: I think the Chancellor of the Exchequer has taken a somewhat unfortunate method of expediting Supply. Unless he makes as much progress as he deems sufficient—I do not know how much that is—in the Irish Estimates to-morrow night, he says he will be compelled to take away from the Irish Members a portion of their evening in order to further the progress of those Estimates. In making that proposal, he is holding out to us the same sort of bargain he held out last year in regard to the discussion of the Queen's College Estimates. Last year he made a bargain with the Irish Members, that if they refrained from discussing those Estimates, he would give them a day for discussing the University Bill, and the hon. and learned Member for Limerick (Mr. Butt) accepted the compromise, and we got a day for the discussion, and much good it did us. The Chancellor of the Exchequer tells us now, in effect, if we refrain from discussing the Irish Estimates on Thursday night, he will allow us to have what belongs to us—namely, our evening on Friday to discuss the matter of University Education. I think that is a distinctly immoral proposition, and I, for one, do not in the slightest degree accept it. I refuse to refrain from advancing my views on the Irish Estimates in order to enable the hon. Member for Roscommon to retain that which he is justly entitled to, and I shall enter into no such compromise or bargain; but I tell the Chancellor of the Exchequer that he will not go into Supply if he takes a Morning Sitting on Friday. If, on the other hand, he takes a conciliatory course towards the Irish Members, and gives them that which is their due—namely, this Friday evening which they have obtained by the chances of ballot—I believe such a course will do far more to facilitate the object of the Chancellor of the Exchequer in obtaining Supply than any of those which I have heard him hold out to-night. I must really tell the right hon. Gentleman that the part of Henry VIII. does not at all become him. We read in English history that that King, when he wanted money for any purpose, used to stride about the House and say—"I will have your money or else I will have your heads." The Chancellor of the Exchequer has adopted a somewhat similar course, the only difference being that he strides into the House and says —"I will have your money or I will have your day." That is the threat which he holds out to the Irish Members, and is a threat to which they ought not to submit.

MR. CHAPLIN: I must also make a protest, and that is against the lecture to which the House has just listened. Hon. Members on both sides are, I am sure, prepared to bear testimony to the courteous and conciliatory manner in which the Chancellor of the Exchequer endeavours, on all occasions, and under the greatest difficulties, to conduct the Public Business. I hope, therefore, that he will not submit to the dictation which is attempted to be practised by a few of our number day after day. I impute no motives; but I believe the House perfectly well understands what is the object of those hon. Gentlemen who have recently discussed the Estimates in a manner so unprecedented. I trust that if, in future, the Public Business is obstructed, hon. Members on both sides of the House will rally round the Chancellor of the Exchequer and support him.

Mr. BIGGAR: We have heard a very nice lecture, in cool style, from the hon. Member for Mid-Lincolnshire (Mr. Chaplin); but I really do think if he would perform his duty to his constituents, he would be in his place and attend to the discussion of the Estimates, and see that the public money was properly disposed of. I have not been very long in this House, but I have some little experience of the manner in which Business is conducted, and I believe that fair limits have not been exceeded in the discussion of the Estimates. I raised a discussion the other night——

Mr. SPEAKER: I must point out that the hon. Member is out of Order in referring to a former debate in this House.

Mr. BIGGAR: I want to point out the mode in which a division was taken.

Mr. SPEAKER: The hon. Gentleman is not entitled to discuss a Vote already taken.

Mr. BIGGAR: I have this day received a letter from a correspondent in Scotland, pointing out a particular Scotch Vote, which, he says, was thoroughly unreasonable.

Lord FRANCIS HERVEY rose to Order. The hon. Gentleman was disregarding the ruling of the Speaker.

Mr. SPEAKER: The hon. Gentleman is not entitled, under cover of a communication, to advert to a Vote passed in this House.

Mr. BIGGAR: I contend that the time occupied in discussing the Estimates has not been wasted. As to the question of Irish University Education, it is a subject upon which the Irish people take a great interest, and it should, therefore, be fairly discussed. It is a question which cannot be shelved, and will not be shelved; and I do not think we have a right to go on our knees and beg as a particular favour for what belongs to us. This proposition of the Chancellor of the Exchequer is a sample of the way in which the Business is conducted by the Government. The Government get up discussions upon collateral issues, and, instead of occupying the time with legitimate Business, it is wasted. This is the universal experience of the way in which the time of the House is wasted.

Motion, by leave, *withdrawn.*

MOTIONS.

ELEMENTARY EDUCATION (NEW CODE).

MOTION FOR AN ADDRESS.

Mr. PEASE, in rising to call attention to Clause 98 of the Act 33 and 34 Vic. c. 75 (the Elementary Education Act), and to Section "B," Article 7, of "Preliminary Chapter" of the "Code of 1878 of Minutes of the Education Department," and to the manner in which the Committee of Council on Education are taking action thereon; and to move—

> "That an humble Address be presented to Her Majesty, praying Her Majesty to be graciously pleased to direct the amendment of the New Code of Regulations of the Committee of the Privy Council on Education, by the omission of Article 'b' of section 7 of the said Code;"

said, there was a clause in the Act by which Minutes were to be in force only when they had been laid on the Table of the House for one month. And he thought that the Minute in the Code issued at the commencement of the year overrode the 98th section of the Act, which provided that the managers of any schools in a school board district, and not in receipt of an annual grant, might apply to the Education Department for a Parliamentary grant, which might, however, be refused in the case of "unnecessary schools." The assumption was that the grant would be made except in cases of misconduct and *mala fides.* He would, with the permission of the House, refer to several instances, which would show that the Education Department was unnecessarily strict in its inquiries into the school accommodation of districts, taking as the basis of an unnecessary school the mere fact of there being school seats in some other school. By this method, the children of Church attenders might be sent into Roman Catholic or Dissenting schools, or the children of Dissenters into National schools, the result of which was that the difficulty of carrying on the work of education in the country was increased. After alluding to various other schools in different parts of England, he said the strongest case occurred in Stanhope, a town in the county he had the honour to represent. In July, 1873, a deficiency of 920 in the school accommodation of the district was declared to exist. Before the close of 1873 the people formed a school board, which built five as complete schools as he had ever seen. He had the honour of opening two or three of them. In the town of Stanhope there was a very large Dissenting element, and the school board asked leave to build a school to accommodate 200 children. Notice, however, was given that besides the Barrington Church schools, a school which had been formerly closed, would be opened, and that another was also available; and the Department then held that there was sufficient school accommodation in the town. He had not one word to say against the management of the Barrington schools, to which he was himself an annual subscriber; but, practically, there was not a single Dissenting school in the place. The school board urged the Department to relax their rule, but they declined; then the Wesleyans, with their usual zeal, built a school to accommodate 200 children, and asked to be placed on the list for the annual grants. But the Department declined to sanction the proposed school, on the ground that such school accommodation for Stanhope was not required. The school, however, was opened, and the Government Inspector was pleased with the building and furniture, and said that the results of the examination were decidedly good. There were 182 scholars in attendance. In January, 1877, they again asked to be placed on the list for grants, and were again refused. He was told on good authority that about two-thirds of the people attended the Dissenting chapels. The cases which he had cited went to show that which he thought was indiscretion on the part of the Department in assuming too much local control. The effect of the Article in question was to make the power of refusing grants to certain schools compulsory, and to extend the operation of Clause 98 into non-school board districts, and he believed it was entirely beyond the powers of the Department, by an Article in the Code, to override the statute law. He did not advocate the total repeal of the 98th section of the Act of 1870. He thought it was right that the Department should have a certain amount of power, but it should be very cautiously exercised. He doubted if the powers the noble Lord was endeavouring to get were not illegal powers. It was not desirable that they should have too much centralized in Downing Street the control over the choice made by parents in this country of the schools to which they should send their children. It seemed to him that it made no difference to the State whether children were educated in a Board school, a National school, or a Roman Catholic school, provided they came up to certain Standards. The Code now on the Table was not, in his view, in accordance with the Act of 1870, and he thought that if the Education Department wanted further powers, they ought to come to the House for them by means of an Act of Parliament. The hon. Member concluded by moving his Resolution.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying Her Majesty to be graciously pleased to direct the amendment of the New Code of Regulations of the Committee of the Privy Council on Education, by the omission of Article 'b' of section 7 of the said Code."—(*Mr. Pease.*)

Mr. A. MILLS observed, that it was one thing to alter the Code, and possibly to deal with the 98th clause of the Act of 1870 so as to create what was called a free trade in voluntary schools, and it was quite another thing to arm an ambitious school board with the power of establishing a new school, even where sufficient accommodation had been provided. The hon. Member opposite had mentioned about 26 cases in which he thought the present state of the law and the action of the Department had worked injustice; but he would remind him that there were in England and Wales considerably more than 14,000 public elementary schools; therefore, the grievance, even if it existed in the cases named, was not a very large one as compared with the total number of schools in the country. If, however, the action of the Department inflicted wrong in only very few instances, of course, the wrong ought, if possible, to be set right. But he thought it was very undesirable that they should have constant changes in their Education Code, and still more in their Education Acts. His own experience was that the 98th clause of the Education Act of 1870 was a very valuable one. It said—

"If the managers of any school which is situate in the district of a school board acting under this Act, and is not previously in receipt of an annual Parliamentary grant, whether such managers are a school board or not, apply to the Education Department for a Parliamentary grant, the Education Department may, if they think that such school is unnecessary, refuse such application."

The sub-section of the Code, which the hon. Member wished to cut out, said that no grant was to be made for any school which had not previously received an annual grant if the Department thought such school unnecessary. Thus, the powers given by Clause 98 of the Act were simply incorporated in the Code in order to carry out the provisions of the clause. There was no difference between the 98th clause of the Act and the sub-section of the Code, and the two must stand or fall together. He hoped Parliament would not deprive the Department of its veto in regard to unnecessary schools, for the indefinite multiplication of schools would cause a deterioration of the quality of the education. It might be fair, even when there was sufficient school accommodation, to relax the rule, so that the Department might not exercise its veto. This might happen, for instance, where Roman Catholics, or Wesleyans, or members of the Church of England, having no school suited to their requirements, were willing to build one at their own cost; but, in cases such as that of the London School Board, where, at least, 10*d*. in every shilling was paid by the public, any such relaxation would be a change tending very much to the disadvantage of the public.

MR. W. E. FORSTER said, he agreed with the Resolution of the hon. Member for Durham (Mr. Pease); but, as he was responsible for the Act of 1870, he wished to say why he did so. He thought there was a great difference between the power to be given to the Education Department by the 98th section of the Act of 1870, and the power allowed by the Article of the Code. The section of the Act of 1870 said that in school board districts, and in them only, the annual Parliamentary grant might be refused for a new school if the Education Department thought that such a school was unnecessary. The Minute, on the other hand, said that no grant might be made in respect of any new school if the Education Department thought the school unnecessary. By the section the Department might use their discretion if they thought it unnecessary; but by the Minute, if they thought it unnecessary, they were bound to refuse it. There was a difference between the two, and an intentional difference. Besides, in order to guard against a too frequent use of the power of refusal, and to make it evident that its purpose was of a very special kind, for a special purpose, the section of the Act demanded that in each case a special Report should be made, showing the ground on which the grant was refused; but the Minute required nothing of the kind, and there was this other and great difference—that the section was confined to school board districts. The Minute introduced a perfectly new system into the Education Act, and, till it came before the House, he had no idea that the Department considered they had legally the power to assume to themselves the duty of deciding, with regard to every new school throughout the Kingdom, whether or not it was wanted. This, however, was what the Department was really doing. A great evil might follow on that new principle. He had always understood that the Vote was distributed in annual grants to all schools that fulfilled certain conditions laid down originally in the Code, and now, in the Act of Parliament, as to masters and buildings. Every school was invited to earn what it could, and that, briefly, was the principle on which the Vote had been apportioned among them. There was a provision against extreme cases; but, so little had he supposed the Department could take upon themselves the power to refuse a grant, simply because they thought a school unnecessary, that he had constantly, while refusing assistance from the funds of the Public Works Loan Commissioners, said that a school would have to be built, if at all, by the rates levied for the year. That, he had always thought, was a sufficient protection, and that he had taken to be practically the only power they had. He said—"You can build the school at your own expense if you think fit." If that screw were kept, they need not be uneasy that there would be unnecessary schools. He might think some schools not wanted, but if a school was once set up, he would never refuse the grant, except in cases of *mala fides*, against which provision was made in the Act. The new power was certainly very arbitrary, and, without entering into the merits of the special cases that had been brought forward, it was clear that in all these cases persons thought they had been hardly treated. His hon. Friend the Member for Exeter (Mr. A. Mills) seemed to suppose it necessary to check the action of school boards; but hon. Members must not support this Minute on the supposition that it would merely tell in favour of school boards. If this Minute were allowed to remain, it might be turned against any fresh denominational schools whatever. This he should be sorry to see, because he thought that taxpayers had a right to have a special denominational school if they fulfilled the conditions, and were willing to run the very severe risk of having to pay their share of the rates and subscribe to their own schools as well. He could not help taking a great interest in the actual work of the Department; and he did feel that, in undertaking to decide whether a school was wanted or not in any particular district, they imposed on themselves an amount of anxious labour of which they had little conception, while it would create heartburning and opposition in almost every district in which they exercised this power. There might be Departmental reasons for the change, but they could not be aware of the labour they were undertaking. With regard to the legal question, he thought, quite unintentionally, his noble Friend had somewhat strained the law. When he (Mr. W. E. Forster) was bringing in the Education Bill, he was of opinion that the Department had no power to refuse the annual grant to schools, and, therefore, thinking it necessary, in very extreme cases, that they should take that power, he put in the special section so often alluded to; but the very fact that the House passed it, was, to him, a very strong argument, if not a proof, that there was no power to go beyond that section. In Section 9, the Act laid down the conditions to be fulfilled by elementary schools, in order to obtain an annual Parliamentary grant. Surely, when they had decided by law that certain conditions should be fulfilled—which conditions were to be contained in the Minutes of the Education Department—it was stretching that section to say that the Education Department should have the power in their discretion to say what schools should be wanted or not. Surely, it was almost a mockery to say by Act of Parliament, that grants should be given on certain conditions, and then to say that really meant nothing at all, because the Department had the discretion of refusal. He hoped his hon. Friend would not push this matter to a division. It was a case which might fairly be left to the Government to consider. No doubt they would fairly consider it, and perhaps he was not asking too much when he asked them to give some consideration to the arguments he had brought forward. He would say one word with regard to the Scotch Act. New schools in Scotland were treated differently from new schools in England. The former merely developed the rate system, which was quite in accordance with the educational genius of Scotland. The provision with regard to new schools was that all new voluntary schools, or schools not public schools, should be refused a Parliamentary grant, unless the Department consented to a special grant to them, either from regard to the religious opinions of those who wanted them or the special necessities of the district. There was to be a special report in every case in which a grant was made to a new voluntary school; but there was nothing in the Scotch Act about refusing a grant to any public school, and he felt convinced, if it had been stated that in passing the Scotch Act power had been taken to give to the Education Department the discretion to refuse grants to any new school board school, such a provision would not have been passed. In the Scotch Code of this year, however, the Department had inserted a Minute in which they had taken the words in the Scotch Act, omitting only these words, "not being a public school;" and thus, by a stroke of the pen, the Department had taken on themselves the power to refuse grants to every new public school. The Department might have thought it advisable to make this change to prevent the multiplication of small schools. He did not think this change necessary for that purpose. He thought it better for the Department to rely on the obstacles to the erection of unnecessary schools arising from the expense involved in building and maintaining them than on the reports of its own officers. He believed that not one school in 1,000 would be started if not wanted. If, however, the Government, on a re-consideration of the whole question, thought it their duty to claim this power, in his opinion, the proper Parliamentary course incumbent upon them would be to propose an Amendment of the Act, giving them the additional power which they thought they ought to possess.

LORD FRANCIS HERVEY approved of the Resolution brought forward by the hon. Member for Durham (Mr. Pease), especially as there was no desire manifested to interfere with the 90th section of the Education Act. He trusted the Government would see that it had gone further than was necessary either to guard the public purse or in the interests of education. If they wished to avoid heartburnings, discontent, and dissatisfaction, they would have the law amended. If the hon. Member pressed his Motion to a division he should support him.

MR. RAMSAY thanked the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster)—and he thought the people of Scotland would be equally grateful to the right hon. Gentleman—for the remarks he had made with reference to Scotland. He hoped that, so far as Scotland was concerned, the Education Department would re-consider the matter, for the change made in the Scotch Code had set aside the provisions of the Act of Parliament. He understood that the Code should be framed in such terms as to carry out the express provisions of the Statute; but the omission of the words "not being a public school" virtually repealed one of these provisions, and, if so, involved such a change of the law as he thought it was not competent for the Department to make. He suggested that the hon. Member for Durham should not insist on a division, and hoped that the noble Lord (Lord George Hamilton) would admit that this subject deserved consideration, and that he would see that the Code should be altered so as to make it conform with the terms of the Act of Parliament.

MR. J. G. HUBBARD said, he entirely concurred in the views expressed by the hon. Member for Durham (Mr. Pease), and in the object which he aimed at by his Resolution. The Government should find no difficulty at all in steering a clear way between the different courses which had been suggested. He, however, differed from the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) and the hon. Member for Exeter (Mr. A. Mills) on the distinction which they drew between the 98th clause of the Act and the 7th section of the Code. He thought the difference consisted in this—that the Act of Parliament was directory and the Code was affirmative. There was no essential difference between the two. He thought the principle of religious liberty should be the guide in matters of this sort, and he trusted that the Act of Parliament would be so interpreted by the Education Department as to enable them to give the necessary assistance to denominational schools, no matter what their religious character might be. There was one particular which should be kept in view—namely, that the principle of confidence which they extended in this respect to denominational schools, for which persons actuated by religious zeal and charitable motives made large sacrifices and considerable efforts, did not apply to board schools, which were not the offspring of religious earnestness, which involved no sacrifice on the part of the managers, but were institutions worked by means of the money of the ratepayers.

LORD GEORGE HAMILTON said, he wished very briefly to undertake the defence of this sub-section which had been called in question to-night. Having only recently acceded to his present Office, he would have been quite willing to leave its defence to his Predecessors who framed it; but he thought it right to state why, in his opinion, the House ought not to assent to this Motion. In doing that, he must acknowledge the temperate character of the speeches of hon. Members opposite who had addressed themselves to this question. The subject under discussion was somewhat larger than would appear at first sight. The sub-section had been placed in the Act for the purpose of asserting that a discretion was placed in the hands of the Privy Council in this matter. He was glad to find that all the great voluntary associations interested in the promotion of religious education had acknowledged that the past action of the Department had given satisfaction. Therefore, unless this sub-section indicated some departure from the principle upon which the Education Department had administered the grants, he did not see how it could give offence to any religious community. The two points upon which the hon. Member had dwelt the most were—first, was this sub-section legal? and secondly, if legal, was it wise and expedient? Upon the first point, the Education Department contended that they ought to have the same discretion as to making these annual grants as they possessed before the passing of the Act of 1870, and which was merely strengthened by that Act. By that Act, the Education Department was made the instrument by which educational deficiencies of different localities were pointed out, and discretion was given to the Department to call upon the different localities to make good those deficiencies. The sub-section in question was inserted for the purpose of making it known that the Education Department would permit rivalry and competition among schools in all parts of the Kingdom, but within certain limits. Hon. Members who had spoken on this subject had made no suggestion as to the alternative action that should supply the place of that pointed out by this sub-section. In his opinion, the only other alternative action that could be adopted was that of free trade in schools. As regarded school board districts, the school boards were bound to supply the deficiencies of school accommodation, and in that case the Education Department could not consent to the establishment of denominational schools afterwards; but in non-school board districts the Department was willing, within certain limits, to allow competition between all classes of schools. If, however, free trade in schools were to be established as a general principle, essential changes must be introduced in the Act of 1870. By the Act of 1870, school boards were established for the purpose of exercising the primary duty of providing for educational deficiencies in the localities over which they had authority, and of even providing for prospective deficiencies in those districts; and, therefore, if it were not for the control of the Education Department over the school boards in the way of expenditure, the latter would have the power of establishing *ad libitum* as many schools as they chose. Under the Act, the Education Department had the right to refuse a grant to any school which, in their opinion, was unnecessary, and by the Act of 1873, the Department had the power of refusing any loan for a school which was deemed unnecessary. In nearly all the cases to which the hon. Member for Durham had referred the Education Department were bound to refuse the grant. An application was made for a grant for a school board school in the Stanhope district, and it was refused by the Department because they thought the school unnecessary. It was not, therefore, competent to the Education Department to give subsequently to a voluntary school what they had denied to a school board school. The cases to which attention had been called were cases in which the Department had acted in strict accordance with the sections in the Act of 1870 which were applicable to them, and no other course would be possible unless that Act was altered. He thought the House would agree with the opinion of the hon. Member for Exeter (Mr. A. Mills) that it was not possible, at any rate, at present, to make any alteration in the Elementary Education Acts which had recently been passed. There might, perhaps, be found some means of relieving the managers of schools of a part of the difficulty of which they now complained, and he would undertake to re-consider that part of the section which referred to non-school board districts, with the view of defining, to a certain extent, what, in the opinion of the Department, would or would not constitute an unnecessary school. The only object of the Department in endeavouring to curtail the number of schools in any way was to promote efficiency. No one, he thought, who had the interests of education and of the schools at heart, would desire to see abolished the discretion entrusted to the Department in reference to the making of grants; but many who had studied the question might think that there should be some modification of the existing rules, and it was with a view to this that he would take the matter in hand, without, however, pledging himself to any particular course. He saw no insuperable difficulty in the way of making grants to *bonâ fide* schools which had been in existence for some little time, and which had a sufficiently large attendance, and he therefore hoped the hon. Member for Durham would not think it necessary to press his Motion to a division; if he did, he (Lord George Hamilton) would move the Previous Question, as he agreed with many of the arguments of the hon. Gentleman, but not with his conclusions.

Mr. PEASE said, he was satisfied with the assurance of the noble Lord, and would ask the House for leave to withdraw the Motion, which he had put upon the Paper in no spirit of hostility to the general scope of the Education Acts or the manner in which the Department had administered them.

Mr. SAMPSON LLOYD said, he regretted that this wholly unnecessary Minute was not to be withdrawn, for it was likely to cause great dissatisfaction. The Education Department would do wisely to recognize the absolute necessity of free trade in schools in all districts. As an advocate of denominational education, and at the same time of fair play, he believed that if they were to continue the denominational system, the law should be made equal in its operation to all forms of religious belief, and that no hard-and-fast line should be held by the Education Department in dealing with these schools.

Motion, by leave, *withdrawn.*

PARLIAMENTARY REPORTING.

MOTION FOR A SELECT COMMITTEE.

The CHANCELLOR of the EXCHEQUER: Sir, I beg to move for the appointment of a Select Committee to consider the question of Parliamentary Reporting. I do not know whether the House will think it desirable that I should occupy their time by any discussion upon this question. I should rather apprehend that it would be more convenient not to do so, and I will simply say that the object I have in view in moving the appointment of this Committee is not simply to consider the question which is involved in the recent new arrangement with Mr. Hansard, but I also propose that the Committee should consider any other arrangements, or the propriety of entering into any other arrangements, which may be thought desirable. I believe there are several hon. Gentlemen in this House who have paid a good deal of attention to this subject, and some have expressed a desire to bring before us their various views. No doubt, the matter is rather a complex one, and the objects are of a character which render it impossible to attain them all completely; because we desire to have correct reports, we desire to have full reports, we desire to have reports which shall not be unnecessarily or very long delayed in their publication, and we desire not to be burdened with a great mass of unnecessary matter. It is obviously very difficult to draw the line so as to attain the maximum good with the minimum of inconvenience; but I believe a well-selected Committee—one that will attend to the subject, and will receive evidence—may be able to do a very good service to the House. Without further remark, therefore, I will move for the appointment of a Select Committee to consider the question of Parliamentary Reporting.

Major NOLAN: I hope the Chancellor of the Exchequer will make this Committee a large Committee, and for this reason. There are two or three Irish Members who are very anxious to serve upon it. My hon. Colleague the Member for the county of Galway (Mr. Mitchell Henry) was the first to draw attention to this subject. Then, there is the hon. Member for New Ross (Mr. Dunbar), who is, I believe, the only Member of this House who has been in the Reporters' Gallery; and there is also the hon. and learned Member for Louth (Mr. Sullivan), who has been a good deal connected with newspapers and reporting matters. These three hon. Gentlemen would be very competent to serve on such a Committee, and, therefore, I hope the Chancellor of the Exchequer will make it sufficiently large to include them.

Motion *agreed to.*

Select Committee *appointed,* "to consider the question of Parliamentary Reporting."—(*Mr. Chancellor of the Exchequer.*)

And, on June 17, Committee *nominated* as follows:—Mr. William Henry Smith, Mr. William Edward Forster, Viscount Crichton, Mr. Lyon Playfair, Sir Alexander Gordon, Mr. Walter, Lord Francis Hervey, Mr. Dunbar, Mr. Hall, Mr. Mitchell Henry, Sir Henry Wolff, Mr. Barclay, and Mr. Mills:—Power to send for persons, papers, and records; Five to be the quorum.—(*Mr. Chancellor of the Exchequer.*)

And, on June 20, Sir Henry Holland, Mr. Hutchinson, Mr. Cowen, and Major Arbuthnot *added.*

EPPING FOREST BILL.

LEAVE.

Sir HENRY SELWIN-IBBETSON, in rising to move for leave to bring in a Bill for the disafforestation of Epping Forest, and the preservation and management of the uninclosed parts thereof as an open space for the recreation and enjoyment of the public, and for other purposes, said, the House had had, on more than one occasion, the subject of Epping Forest before it. The old argument had been that inclosures were beneficial to the public; and, in consequence of an opinion of the Law Officers of 1853, the rights of the Crown over 3,000 or 4,000 acres had been sold, and the lords of manors had made a great number of inclosures. But, in the year 1860, an Address to the Crown was carried, expressing a hope that the sale of Crown rights over the Forest would be prevented. In 1865, the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) had a Bill passed, transferring the Crown rights from the Office of Woods and Forests to that of the First Commissioner of Works. Subsequent inclosures kept public attention alive to the subject; and in 1870 the hon. Member for Hackney (Mr. Fawcett) carried an Address to the Crown, to the effect that the Common should be preserved as an open space for the enjoyment of the public—the first time that principle had been recognized in the House of Commons. As a result of that Address, the then Chancellor of the Exchequer, the right hon. Gentleman the Member for the University of London (Mr. Lowe), brought in a Bill which he said would, by a compromise, secure the just rights of the public. The Bill was brought in late in the Session and did not pass, and, in the following Session, a Resolution adverse to the proposal of the Bill, which would, it was said, only secure 600 acres to the public, was moved by his right hon. Friend the Member for South Hampshire, and carried by a large majority. This was followed by a Bill appointing a Commission to inquire into the question, and the next year another Bill was passed, under which certain suits which had been instituted were stayed, save one called the City suit, in which the Master of the Rolls made a decree with respect to the right of the commoners in 1874. The matter was argued at considerable length before the Commissioners, and a preliminary Report was made in 1875. In 1877, a final Report was presented in the shape of a scheme which was before the Government at the commencement of the Session, and it then became a question with the Government how that scheme should be dealt with—whether it should be dealt with in the form of a Provisional Order, or in some other form. There were certain technical difficulties in the way of bringing the scheme forward in the ordinary form, and the Government had to consider what steps should be taken, anxious as it was that a final settlement should be made. The Act of 1871 contemplated a final settlement, and the Government thought that by introducing a Bill, without re-opening again the old difficulties, they might carry out the original intention. The Bill was drawn, and it handed over to the City the Forest to be preserved as an open space for the public for ever. Great care had been taken, and litigation would, it was hoped, be avoided. The Bill set up an arbitration to decide what were "gardens" and "curtilages," and what should be paid to the lords of manors. The case was one for agreement between the parties interested. He believed that the Government scheme had met with considerable favour by all who had interest in the suit before the Master of the Rolls. The Bill, he hoped, would prove a permanent settlement of a long-vexed question. When it was printed, it would be found that the measure would carry out the principal recommendations of the scheme suggested by the Commissioners. The hon. Member concluded by moving for leave to introduce the Bill.

Mr. SHAW LEFEVRE expressed his satisfaction that the Government had brought in this Bill, and hoped it might be a final solution of this most important question, and would permanently secure to the public this great open Forest, and an end put to one of the most gigantic systems of land robbery that there had ever been in this country.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. LOCKE said, that there had been great difficulty at first in approving the measure, and it might still be necessary to wait and consider what were its provisions.

Motion *agreed to.*

Bill for the disafforestation of Epping Forest, and the preservation and management of the uninclosed parts thereof as an open space for the recreation and enjoyment of the public; and for other purposes, *ordered* to be brought in by Sir HENRY SELWIN-IBBETSON and Mr. NOEL.

INCLOSURE PROVISIONAL ORDER (LLANFAIR WATERDINE) BILL.

On Motion of Sir MATTHEW RIDLEY, Bill to confirm the Provisional Order for the Inclosure of certain Lands situated in the parish of Llanfair Waterdine, in the county of Salop, in pursuance of a Report of the Inclosure Commissioners for England and Wales, *ordered* to be brought in by Sir MATTHEW RIDLEY and Mr. Secretary CROSS.

INCLOSURE PROVISIONAL ORDER (ORFORD) BILL.

On Motion of Sir MATTHEW RIDLEY, Bill to confirm the Provisional Order for the Inclosure of certain Lands situated in the parish of Orford, in the county of Suffolk, in pursuance of a Report of the Inclosure Commissioners for England and Wales, *ordered* to be brought in by Sir MATTHEW RIDLEY and Mr. Secretary CROSS.

ORDER OF THE DAY.

HYPOTHEC (SCOTLAND) BILL.

(*Mr. Agnew, Mr. Baillie Hamilton, Sir George Douglas.*)

[BILL 29.] SECOND READING.

Order for Second Reading read.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at half after Seven o'clock.

HOUSE OF COMMONS,

Wednesday, 29th May, 1878.

MINUTES.]—SELECT COMMITTEE—Gold and Silver Hall Marking, Sir Andrew Lusk *added.*

SUPPLY — *considered in Committee — Resolutions* [May 27] *reported.*

WAYS AND MEANS—*considered in Committee*—Consolidated Fund (£1,000,000).

PUBLIC BILLS—*Ordered—First Reading*—Medical Act (1858) Amendment (No. 2) * (196).

First Reading—Epping Forest * [188]; Inclosure Provisional Order (Orford) * [189]; Inclosure Provisional Order (Llanfair Waterdine) * [190]; Elementary Education Provisional Orders Confirmation (Birmingham, &c.) * [191]; Inclosure Provisional Orders * [192]; Provisional Orders (Ireland) Confirmation (Dungarvan, &c.) * [193]; Bishoprics* [197].

Committee — Sale of Intoxicating Liquors on Sunday (Ireland) [44]—R.P.

Committee—Report—Local Government Provisional Orders (Artizans' and Labourers' Dwellings) * [162]; Monuments (Metropolis) (No. 2) * [140].

Third Reading — Poor Law Amendment Act (1876) Amendment * [134]; Public Health (Scotland) Provisional Order (Lochgelly) * [171]; Highways (South Wales) * [160], and *passed.*

Withdrawn — Parliamentary and Municipal Elections (Ballot Papers) * [172].

ORDERS OF THE DAY.

COUNTY INFIRMARIES, &c. (IRELAND) BILL—[BILL 7.]

(*Mr. Meldon, Mr. Shaw, Mr. Errington.*)

ORDER FOR SECOND READING DEFERRED.

MR. MELDON moved that the Order for the Second Reading be postponed to the 19th June.

MR. O'SULLIVAN moved, as an Amendment, that the Order be discharged. He wished to know whether it was in Order for the hon. and learned Member for Kildare (Mr. Meldon) to pursue the course he had taken with regard to this measure? It had been before the House since July, 1876, when it was first introduced, and it related to a subject of great importance to Ireland; for they had many county infirmaries in that country, and——

MR. SPEAKER rose to Order, and remarked that on a Motion for the postponement of the second reading of the Bill, it was not competent to the hon. Member for Limerick (Mr. O'Sullivan) to discuss the merits of the Bill itself.

MR. O'SULLIVAN said, he bowed to the decision of the Chair, and would only say that he thought the hon. and learned Member for Kildare was trifling with the House in bringing this measure forward as he had done. As he had stated, it was first brought before the House in July, 1876, and had been re-introduced since; and yet when the day fixed for its second reading had arrived, and the Bill was the first Order of the Day, it was found that it had not been printed. He wished to ask whether the hon. and learned Gentleman was justified in such a course?

MR. SPEAKER: I would point out to the hon. Member that it is the constant practice of this House for Members in charge of Bills to be allowed to postpone the different stages of those Bills as unopposed Motions; and if debates were to arise on questions of that character, it would become highly inconvenient to the House. The hon. Member states that the Bill has not yet been printed, and I am bound to say that is a very good reason for the postponement of the second reading. At the same time, I wish to point out that it is the duty of an hon. Member of this House who obtains leave to introduce a Bill, and who fixes the second reading for a particular day, to have the Bill printed. Under the circumstances, the hon. Member will probably think fit to withdraw his Amendment.

SIR JOSEPH M'KENNA said, hon. Members had complained, with a certain show of good reason, of the appearance on the Paper on Wednesday last of two Bills with a kindred object. The hon. Gentleman was about to explain the circumstances under which this had occurred, when——

MR. SPEAKER said, the Motion before the House was the postponement of the second reading of this Bill, and the hon. Member must confine his observations to that Question.

SIR JOSEPH M'KENNA said, he did not think it was fair of the hon. and learned Member who had charge of the Bill to be trifling with the House in that manner. The Bill would appear to have been put in the place it held on the Order Paper as a species of ambuscade in order that another Bill might be marched to the front, and he hoped the House would discountenance such a practice.

MR. MELDON explained that the only reason why the Bill had not been printed was that certain Returns which were moved for by the hon. Member for Carlow, which were of the utmost importance and had not yet been presented to the House.

MR. O'SULLIVAN thought he had discharged his duty in calling attention to the matter, and he would, therefore, withdraw his Amendment; at the same time, he was of opinion that the hon. and learned Member (Mr. Meldon) had treated the House very badly in not having the Bill printed.

Amendment, by leave, *withdrawn.*

Second Reading *deferred* till *Wednesday,* 19th June.

COMMITTEES.

Ordered, That Committees shall not sit To-morrow, being Ascension Day, until Two of the clock, and have leave to sit until Six of the clock, notwithstanding the sitting of the House.—(*Sir Henry Selwin-Ibbetson.*)

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL—[BILL 44.]

(*The O'Conor Don, Mr. Richard Smyth, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, Mr. Redmond.*)

COMMITTEE. [*Progress 24th May.*]

Bill *considered* in Committee.

(In the Committee.)

SIR JOSEPH M'KENNA rose to move that a new clause, of which he had given Notice, be inserted after Clause 1. He said he trusted the clause would commend itself to the Committee's sense of justice and fair play; more especially as he believed it to be backed up by the almost universal public opinion of Ireland. For his part, he believed which the public opinion that had been brought to bear on the House, and which had influenced it in accepting the principle of the Bill, was rather that which was held by the upper classes, or what he might term the cream of Irish society, than that of the mass of the people, or that portion of them who were in the habit of frequenting public-houses. It was true that the majority of his own constituents had signed a Petition in favour of the Bill; but he thought the observations he had to make on the clause he was about to move were deserving of more consideration on account of this fact, than if his constituents, generally, had been against the Bill. He had taken some trouble during the last year or two in endeavouring to ascertain how public opinion in general was affected on this question, and he had found that, at least in those parts of Ireland in which he occasionally resided, the mass of the people were against the measure. The more respectable portion of the people—the upper classes, at any rate—approved of the principle of the Bill, and, of course, all the teetotalers, the strictly temperate people, and the Sabbatarians, were in its favour; but the grounds on which they supported the measure were hardly such as would commend themselves to the Committee if they were fairly stated, because they could not be held to be really conclusive on the subject. Well, for that reason, no doubt, Her Majesty's Government had deemed it their duty to move, or to suggest, an Amendment to the 1st clause of the Bill, and, for his part, he was perfectly contented with that Amendment so far as it went; but the clause, so amended, afforded a key to the legislation which he was about to ask the Committee to sanction. The Bill, as originally brought in, had found favour with the House; but the Government had procured the insertion of an Amendment, exempting five of the largest towns in Ireland — namely, Dublin, Limerick, Cork, Waterford, and Belfast —from the operation of the measure. Now, if the universal opinion of Ireland were in favour of such a measure as this —if the people, generally, would accept it quietly and with good humour, and believed it might be beneficial in its operation—he should have nothing to say against it; but this was not the case. On the contrary, the people had challenged the exemptions that had been made, not because they were exemptions, but because of their partial and one-sided character. For instance, those who lived in a number of the smaller seaport towns and watering-places, which were, at present, included in the general scope of the Bill, objected very naturally that the larger seaport towns and watering-places were exempted from the operation of the measure, and they objected, on the ground that their interests might be affected by the competition of favoured localities. With a view of remedying, in some degree, the inequality thus established, he proposed, that after Clause 1 the following clause should be inserted:—

(Other corporate towns and towns under town Commissioners.)

"All towns in Ireland other than those mentioned and provided for in Clause 1, and which are under the government of a corporation or of town commissioners, shall be restricted to the same hours only as those which apply to the city of Dublin until such time as the corporation or town commissioners of such town respectively shall by a resolution passed by an actual majority of the full number of members of the corporation or of the town commissioners in each case determine that such town shall come under the general provisions of the Act for the prohibition of sale of intoxicating liquors on Sunday."

A friend of his had said to him, after reading the proposed new clause—"I am afraid this is only the Permissive Bill in another shape;" but he was happy to say that he had been able to satisfy his friend that the clause was not at all in the nature of the Permissive Bill. It was simply a clause giving permission to each town possessing a local government of its own to veto the operation of the Act as far as its own limits were concerned. This was all it amounted to; and if, in such places, the majority of the Corporation or Town Commissioners thought fit to place their district under the operation of the Bill, it would be competent for them to do so. The general result would be, that if the measure were carried into law, the Legislature, by passing his clause, would have harnessed to it the guardians of public opinion in each locality, and have thrown upon the authorities the responsibility either of carrying the law into effect, or of refusing to do so. He was by no means in favour of Sunday drinking; on the contrary, he thought that if society would agree to do so, it should be put down as nearly as possible. ["Hear, hear!"] His hon. Friends might mean those "Hear, hears!" to some extent as derisive cheers. ["No, no!] Then, he was willing so to accept them; but he would add that there was no greater friend of temperance, or that which would promote temperance, in that House than he had been, nor one who had been more sincere and practical. He had presented the clause he was now moving to the Committee with the view of conducing not only to the cause of temperance, but also to the cause of good government, and in the hope of making the law as acceptable to the majority of the community as possible. Therefore, he asked the Committee to harness to this new legislation the Corporations and Town Commissioners of Ireland, and charge them with the responsibility of carrying it into effect. By doing this, they would only be giving a certain number of towns the right to decide whether they would, through their local representatives, give effect to the law which had found favour in that

House; and if that legislation should in course of time turn out to be effectual and generally acceptable to the country, no one would more rejoice at such a result than he should. He admitted that some of the arguments in favour of the Bill were unanswerable; but they were insufficient. There was no doubt that it would tend to promote decorum and a due respect for the Sabbath. Therefore, as far as externals went, the Bill was a good one; but, on the other hand, he had high authority for saying that the principle of Sunday observance might be pushed to an extent which no Christian authority would exact, and, therefore, as there were no religious dogmatic decrees against the opening of public-houses on a Sunday, he felt that it was pushing the Sabbatarian principle too far to say that for the mere purpose of promoting Sabbath decorum, and for that alone, Parliament ought to impose the restrictions contained in that Bill upon a people who did not sympathize so strongly with the measure or to the same extent as the majority in that House. There was, however, another point, which he thought the House ought to take into consideration before they decided on the rejection of his clause—the fact that, although the restriction on Sunday-drinking imposed upon the Scotch people by the Forbes-Mackenzie Act had tended to promote Sabbath observance in Scotland, it had not tended to promote the cause of temperance in the slightest degree. Sabbath decorum was very well as far as it went, and he would admit the force of the argument founded upon it, and he would aid it as far as he thought the bulk of the Irish people were willing to go. Personally, the measure as it stood would be no deprivation to him, nor to numbers of his friends who felt as he did; therefore, they had no selfish object to serve in saying—"Let the public-houses be open on Sundays as well as on other days;" but he argued that, inasmuch as the total quantity of liquor consumed in Scotland had considerably increased since the passing of the Forbes-Mackenzie Act, so that there was more drink purchased now in six days than was formerly drunk in seven, he held that it was too much to say that a similar measure in Ireland would have a contrary effect. He begged to move that the clause be added to Clause 1.

New Clause—(*Sir Joseph M'Kenna,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

Mr. MACARTNEY said, that the Amendment would cut away the most valuable portion of the Bill. There were a number of towns in Ireland which were incorporated, and in all those towns an agitation would be carried on for a considerable time, in order to prevent the Commissioners from carrying this law into effect. As regarded the Bill as it now stood, not only the real majority of the inhabitants of Belfast, but the Corporation of Belfast, were in favour of restriction. If the small towns of Ireland were to have this privilege, why should not the same rule be applied to Belfast? Would they accept a proposal for the same rule to be applied to the City of Cork? Would it be fair to apply this proposal to small places, and not apply it also to large towns? Hon. Members would do well, in proposing new clauses, not to bring forward proposals which cut at the principle of the Bill. That principle had been considered. The House had affirmed it on many occasions, and it was hardly fair to come forward with a new clause which would neutralize the Bill.

Mr. MACDONALD said, he had no wish to interfere in this question of Irish Sunday closing, further than to say that the objection made to this clause seemed to invalidate what had been said regarding the unanimity of feeling in Ireland in respect to this Bill. If all Ireland were in favour of Sunday closing, this clause would be inoperative. It was clear, from the argument raised by the hon. Gentleman opposite, that he was afraid of trusting the people. While he repeated that he did not wish to interfere with Irish Sunday closing, the opposition to this proposal seemed to him to give abundant evidence that Irish opinion was not in favour of the Bill, or there would be no indisposition to allow the people in the various localities to choose whether they would have the principle of this Bill applied or not.

Mr. M'CARTHY DOWNING was altogether opposed to any exemptions in this Bill; but, five towns having been exempted, he did not think the proposal of the hon. Member (Sir Joseph M'Kenna) was one which, in the point of view of the hon. Member for Stafford (Mr. Macdonald), he could refuse to support. The hon. Member for Tyrone (Mr. Macartney) had put forward an objection. He was really surprised to hear that objection come from him, because he had lately heard that all the towns in Ireland in the rural districts were in favour of this measure. The Town Councils, who would be empowered by a majority of votes to deal with this matter, were parties elected for the purpose of carrying out those measures which would be of benefit to the cities or towns they represented. Could there be anything more reasonable and rational than to leave to those who were responsible to the ratepayers or the people the decision of the question whether they were to have public-houses open on Sundays, or should close them at a certain time? He could conceive nothing more reasonable. With regard to this clause, his hon. Friend carried it too far; because, if he took the hours of keeping open public-houses in Dublin he would extend the time in some of the towns, and would have the public-houses open longer than at present. In the City of Dublin, he believed, the houses were open from 2 until 9.

SIR JOSEPH M'KENNA, for the purpose of saving the time of the Committee, wished to say that his intention was, that in no case should the previous hours be extended. Therefore, if the House agreed to the principle of his clause, he should take care that words were added to provide that no extension should take place beyond the hours at present enjoyed. As he had already promised this, he hoped his hon. Friend (Mr. M'Carthy Downing) would not waste the time of the Committee by slaying giants of his own creation.

MR. M'CARTHY DOWNING added, that he should certainly support the clause.

MR. DILLWYN said, he had taken no part in this Bill, and he had no intention to have done so. He was not favourable to the principle, but he was induced to support this Bill because he believed the majority of Irish Members were in its favour. With regard to this Amendment, it seemed to him that the Mover made out a very respectable case. An hon. Member (Mr. Macartney) had said that if this clause passed it struck at the principle of the Bill. It appeared to him that the principle was struck at when they exempted certain towns from its operation, as they had already done. This was one of the means that was taken to induce Members to withdraw their opposition to measures which ought to be considered in the general interest of the public at large. He, therefore, objected to freeing particular localities from the operation of general measures. What would be the consequence if the House refused the reasonable proposal now made, and which he could not in justice refuse to support? What would be the result in the case of corporate and other places? It would be giving to those towns who had got exemptions a material advantage over towns which, in point of attraction to visitors, were rivals to them. It seemed to him that would be an injustice to those towns. If, as the promoters said, the people of Ireland were unanimously, or almost unanimously, in favour of this Bill, what would be the harm of this clause? This clause would allow it to operate in the exempted towns if the inhabitants so willed it. If, on the other hand, other towns beyond the five were not to be exempted, it would be shown that exceptional legislation was forced upon them. He should have thought these great towns which had been exempted were the places of all others where this Bill was most required. He should have thought that in the small towns drinking could not be carried on to the disgraceful extent that it was in the large towns. He could not refuse to support the clause.

MR. RICHARD SMYTH said, the hon. Member for Swansea (Mr. Dillwyn) must forgive him, if he differed from his opinion on the views of the hon. Member for Tyrone (Mr. Macartney). The hon. Member for Tyrone made this proposition—that if the principle of the proposal of the hon. Member for Youghal were accepted, then the five towns exempted from the Act should also have the liberty of accepting or refusing. He should like to know if the hon. Member who proposed this new clause, even if he were prohibited by the Rules of the House from making the proposal at this stage, would pledge himself to give liberty to the five great towns that were exempted from this Bill to vote themselves within its provisions? The hon. Member (Sir Joseph M'Kenna) had not touched upon that. If he made a proposal of that kind, he would find himself pretty stoutly opposed by the right hon. Gentleman the Chief Secretary for Ireland, and by all the force he could bring to bear. For, undoubtedly, the acceptance of this clause would seem to indicate that the Permissive Bill had been accepted by Her Majesty's Government and in particular by the right hon. Gentleman the Chief Secretary for Ireland. He did not think the support of the right hon. Gentleman would be given to the clause, inasmuch as it would entirely stultify what the House had done with respect to this Bill. The clause of the hon. Baronet would be a one-sided proposition, unless he said that the five great towns should have the power of voting themselves within this Bill, in which case he would undoubtedly be met with stern opposition by the occupants of the Treasury Bench.

Sir JOSEPH M'KENNA, with regard to the proposal of the hon. Member (Mr. Richard Smyth), could only say he had no objection, but that it commended itself to him in every respect. The hon. Gentleman would do well to leave to Town Commissioners the responsibility of carrying this out in small as well as in large towns. He was prepared to vote for any Amendment to give to other towns the power of acceptance or rejection which he claimed for those not at present exempted. In saying this, he was speaking for himself alone. He would like to see the Bill passed in its entirety, if it could be so passed, with the good-will of the population; but he warned the Committee against disregarding the Petitions which had been presented to the House by persons who, as consumers, had a strong interest in the trade which would be affected by the Bill if it became an Act of Parliament.

Mr. MACARTNEY said, it had been remarked that drowning men catch at straws, and this, in his view, was the position of the opponents of the Bill, who found themselves on their last legs, and were anxious to fight against time by reviving former discussions on questions which had, practically, been settled. If the question of the exception of the five towns from the provisions of the Bill were to be again discussed, the House might go on for 12 months without making any real progress with the Bill. He would ask whether it was in the least degree possible that the House would entertain the proposals contained in the Permissive Liquor Bill? and yet they were asked to pass the measure now under discussion, which was, to all intents and purposes, a Bill of that kind. If only differed in that its action was proposed to depend, not upon the votes of the population of the country, but upon those of their Representatives in Parliament. He, for one, thought the law ought to be the same all over the country, and that there should be no exceptional cases of exemption under the clauses of the present Bill. The supporters of the measure had only acceded, and that with great unwillingness, to the Government proposal for exceptions in the belief that if the Bill, in a modified form, were passed, there would be an overwhelming expression of public opinion in the country in favour of the repeal of the excepting provisions contained in it at some future day.

Sir JOSEPH M'KENNA advised his hon. Friend the Member for the County Tyrone to be more careful in his application of appellations, as otherwise it might be ruled that his phrases, like certain adjectives they had lately heard about, were out of Order. He denied that either the opponents or the supporters of the Bill were catching at straws. He should be inclined to admit, however, that the description would apply to Members who talked at enormous length against time, in order to defeat the wish of Parliament. With regard to what the hon. Member had said as to catching at straws, it was scarcely warranted. He observed that his hon. Friend the Member for Tyrone had disappeared from his place, and, as one might say, from the surface; and that kind of conduct, when a reply to what he had said was expected, certainly looked more like that of a drowning man catching at straws than anything that had been commented upon by the hon. Gentleman.

The O'CONOR DON said, that the Committee had no reason to complain of the manner in which the Amendment had been brought forward, and he strongly deprecated the use, on the present occasion, of any adjectives or other words that could delay the progress of the

Bill by provoking any personal feeling. The Amendment had been proposed most reasonably and temperately, and he would willingly accept it, if he thought his doing so would forward the passing of the Bill and be really of advantage. But he could not take this view. In the first place, he thought it would very unfairly weight the Bill. The promoters of the measure had been taunted with having accepted the Government Amendment in reference to the exception of the five large towns, and had been told that such acceptance had very disadvantageously overweighted the measure. If that were so, was it likely that they would willingly consent to go further in the same direction? Another question of importance was, whether it would be wise to intrust the powers proposed to be given to the bodies which had been suggested as those proper to be armed with the powers in question. It was true that about nine-tenths of the Town Commissioners in Ireland had petitioned in support of the Bill; but its promoters had never suggested that their opinions should be regarded as final, and that to them should be intrusted the sole power of carrying out its provisions if enacted. The Petitions of the Towns Commissioners had been only quoted concurrently with those of other authorities and persons, and had not been singled out or alluded to as absolutely conclusive. Hitherto, the Imperial Legislature had reserved to itself the right to decide all questions with regard to the rules which were to govern the sale of intoxicating liquors; and he should like to know whether the House of Commons was prepared to accept an Amendment, the effect of which would be to transfer that power to Towns Commissioners and Corporations? Further, if the House of Commons were prepared to transfer its power as far as the sale of liquors on Sundays was concerned, what earthly reason was there why they should not extend such transfer to week days also? The promoters of the Bill were charged with being actuated by Sabbatarianism—a charge which he could not admit; but he certainly could not see any argument in favour of the Amendment, unless a Sabbatarian one, which would not apply equally to a proposal that Parliament should abdicate its functions, as far as the liquor traffic was concerned, on week days as well as on Sundays. Conceal it as they might, the Amendment involved the principle of the Permissive Bill; and if that principle were included in the measure before the Committee, there could not remain the least hope of its passing—at any rate, at present. If any part of the idea involved in the Amendment were to be adopted, he should prefer to go further than the Amendment did, and leave the matter to the votes of the people rather than to the dictum of the Towns Commissioners or the Corporations of boroughs and cities. The promoters of the Bill, in order to conciliate the Government, had loyally accepted their Amendment, excepting the five large towns, and upon them had since fallen the task of defending that Amendment, which they accepted unwillingly, and from motives of expediency. If now, then, the Government were inclined to adopt or accept the Amendment which had been proposed, he hoped they would insist on its being extended to the whole of Ireland. As far as he was personally concerned he could not accept the Amendment, in that it involved very serious considerations quite apart from the apparent scope of the Bill.

MR. J. LOWTHER said, the Government would object most strongly to the principle contained in the Amendment of the hon. Member for Youghal being applied either to the five towns which had on the Motion of his right hon. and learned Friend the Attorney General for Ireland (Mr. Gibson) been excepted from the proposals contained in the Bill, or to any other places in Ireland or elsewhere in the Kingdom. At the same time, he could not say that the hon. Member was not justified in raising the question, which involved a principle of much importance. He was rather surprised to hear his hon. Friend the Member for Tyrone (Mr. Macartney) speaking of drowning men catching at straws; because, as far as his memory served him, it was not the hon. Member for Youghal (Sir Joseph M'Kenna), but the hon. Member for the County of Londonderry (Mr. Richard Smyth) who asked whether the Mover of the Amendment would object to its extension to the five towns included in the Government Amendment? He, therefore, thought that the charge of over-weighing the

Bill by re-opening the question of the five great towns could hardly be laid at the door of the hon. Member for Youghal. When a deputation waited upon him in reference to this subject, he stated his objection to the Bill to be that it contained the elements both of Home Rule and of the Permissive Bill. The last of these objections was stronger against the Amendment than against the Bill itself.

Mr. M'CARTHY DOWNING thought they would have the support of the Chief Secretary for Ireland, who said his hon. Friend was quite right in bringing the question forward.

Mr. J. LOWTHER said, he had simply expressed an opinion that the question was one which the hon. Member for Youghal was fully justified in raising. He had not said anything in its favour.

Mr. M'CARTHY DOWNING, accepting the correction, and adverting to the objection of the Chief Secretary for Ireland to the Amendment on the ground that it was permissive, asked the right hon. Gentleman whether he would be inclined to accept the proposal if it were made compulsory in all towns of sufficient population and importance to be under the government of Commissioners or Corporations, and the hours were restricted to three instead of five? This would do practical justice, and would be taking a course of which no other towns could reasonably complain. If, after the expiration of some limited time, it were found that the Act did not work satisfactorily, it could be altered or repealed. His hon. Friend who had supported the exception of the five towns, knew perfectly well that the mayors of those towns had protested against their exception.

The CHAIRMAN pointed out that the Amendment suggested could not be put until the Committee had disposed of the question as to whether the proposed new clause should or should not be read a second time.

Mr. STACPOOLE said, his desire was to strike at and destroy the whole Bill, root and branch, for the reason that it was a Bill which had been framed for the purpose of coercing the people of Ireland.

Sir JOSEPH M'KENNA said, some confusion existed in the minds of hon. Members concerning this Bill, owing to a mixing up of ideas. It was thought that there was a too strong affinity between this proposed clause and the Permissive Liquor Bill which had been proposed for England. There was, however, a wide distinction between them to his mind. The Permissive Liquor Bill sought to enable the inhabitants of particular localities to bring themselves within the scope of a Bill which was to be passed. This particular clause sought to give the people of certain parts of Ireland the precisely contrary power, and to enable them, if they chose, to adopt the exception in their own favour which the Committee, by accepting the Amendment of the Attorney General for Ireland, had already declared in favour of the five chief towns in the country. He would, if it would be more agreeable to the promoters of the Bill, agree to the limitation being fixed at three hours; but he could not give up his contention that towns other than the five included in the Amendment to the 1st clause should have the power of saying whether they did, or did not, wish to be included in the exception. He had not alluded in any way to the means which might be adopted—by the formation of clubs, and in other ways—for the evasion of the law if the Bill became an Act, because he was anxious that progress should be made with the measure, and that it should be passed in such a form as that it would meet with acceptance among the people of Ireland generally.

Mr. FRENCH pointed out that the principle of the Permissive Liquor Bill was to enable the inhabitants of different localities to impose upon themselves a new law; whereas the clause now proposed was intended to enable the people living in corporate towns in Ireland to say that they wished the existing law to stand. He felt sure, speaking from personal knowledge, that the complete closing of public-houses in Ireland on Sundays would work incalculable mischief. It would not stop drunkenness, and would create a great amount of evil in other directions. There were in Ireland a great number of returned Irish Americans and other mischievous people, who would corrupt the people in the shebeens and other places in which liquor could be procured, who would not be able to do nearly the same amount of harm if the public-houses were open, and those using them were under the eyes of the police. Sunday was not a day on which a great deal of drunkenness existed in Ireland; and he felt sure that if the public-houses were allowed to be open during a few hours on that day, it would tend to reconcile the people to a Bill the principle of which was objected to by a very large number of them.

Mr. SWANSTON said, that although he had supported the Bill all through, he must point out the hardship that would arise from its operation, unless this Amendment, or something analogous to it, was adopted. In the County Cork there were a greater number of considerable towns than in any other county in Ireland—among them being Queenstown, an important port, and Fermoy, a military station of importance—and yet it was proposed that the City of Cork should alone be excepted from the operation of the Act. The result of this would inevitably be, that on Sundays the young men in the towns and villages near to Cork, instead of staying at home on Sundays, would go into the city for the purpose of getting drink. He should have liked to see the closing experiment tried for a limited period; but he could no longer support the Bill in its altered form.

Mr. KING-HARMAN said, he very much agreed with the hon. Member who had just sat down, that the exemption of the five towns, if justifiable in some respects, was to be thoroughly deprecated in others, and especially on the ground that it would bring the people in from the country on Sundays, and make those five large towns head-centres for drinking, so that they would become vast drinking shops for the rest of the country. If the clause of the hon. Member were passed, those drinking centres would be increased, and every small corporate town would be turned into a drinking shop, to which the country people would come in large numbers on Sundays, and probably break each other's heads before going away again. There was another objection, which was—though he wished to speak with every respect of the municipalities in Ireland, who were elected by a majority of the people—to be found in the following fact:—that a great number of those Towns Commissioners were gentlemen who were, more or less, interested in what he might call the liquor traffic. Some of them were the keepers of grocery stores, where intoxicating liquors were sold, and others were interested in the brewing or the distilling trade. Now, those persons were put in rather a difficult position when they were asked to decide between the interests of the people and the interests of their own pockets. It was rather difficult to decide what to do with that clause. For himself, he would vote against it, because he considered, if the Bill was a good Bill, it ought to have a full and fair operation, at any rate, for a limited time, in order to see what the result of its working was; and he did not think, if the towns proposed were to be available for drinking purposes on Sundays, the Bill would have a fair chance.

Sir JOSEPH M'KENNA said, that his hon. Friend appeared to misapprehend what the nature of the operation of the clause would be. The hon. Member seemed to fear that the various corporate towns of Ireland might be made head centres for drinking; but he should bear in mind that the principle on which that Bill had been brought forward had been supported by those Towns Commissioners, nine-tenths of whom it was said had already petitioned the House in favour of the Bill. Now, he would throw down to the hon. Member the challenge of the nine-tenths against the one-tenth, and he would ask him if he would intrust the bodies who were so favourable to the measure with the power of the veto on the application of the Bill. The number was a very simple matter indeed. Nine-tenths might, for all he knew, have petitioned for the Bill, or, if his hon. Friend had said, nineteen-twentieths, he would have accepted the statement absolutely. But how were the signatures obtained? Why, in this fashion, the hon. Clarence Vere de Vere drove into a neighbouring village and called upon Mr. Simpson. Perhaps he wanted something from Mr. Simpson's shop, but perhaps not—however, he made a morning call. He entered into conversation with Simpson, and eventually produced a paper, saying—"Here is a paper, the object of which is to promote the cause of temperance. Do you know what we had to do at the Quarter Sessions last Friday?" Simpson replied that he did not, although very likely, he knew perfectly well. And then the hon. Clarence Vere de Vere told Simpson that they had to punish a man who was drunk and misbehaving himself as the people were coming out of church. Then, of course, Simpson, on being asked, signed the paper. What else could he do? That was all a kind of æsthetic performance. Another promoter of this measure would call upon a Bishop of the Catholic Church, or perhaps he might be a Bishop of the Protestant Church, and would say to him—"My Lord, I think, although we differ upon some matters, we both have at heart the common cause of society and of Ireland." But the hon. Member forgot to mention that, out of the three Realms that were ruled over by Her Most Gracious Majesty, the one that consumed the smallest proportion of intoxicating liquors was Ireland. Nevertheless, the promoter would dwell upon the fact that some unfortunate *roué* in Ireland had gone to the dogs, perhaps on a Friday or a Saturday. And then he would say—"Look at what has taken place in Scotland. I hear that the Rev. Mr. O'Keefe will tell you that the greatest possible decorum prevails now in Glasgow since the introduction of the Forbes-Mackenzie Act." And then he would say—"Let us both put our shoulders to the wheel, and see what we can do." And what did my Lord do? He thought, wished, and hoped, that he was doing something very right and good, and he accordingly signed the Petition. What did he know about it? He knew nothing about it;—not half so much as he (Sir Joseph M'Kenna) did. He, somehow or other, had been under the impression that the people at large had got to believe that it was well that some restriction should be passed upon the drink traffic, and that Sunday was a very much abused day in consequence of their having greater leisure on that day. He (Sir Joseph M'Kenna) had not resided in Ireland, except for a few months in the year, for the last 16 or 17 years, and then in country places, so that his knowledge was considerably restricted. But he took it for granted, at first, that the people of Ireland had accepted the principle of that Bill. He had, however, found out since then, that not only was that not the case, but that the very people, who, it was said, had signed Petitions in favour of the Bill, were not to be relied upon as having done so. He would not describe the Bill as a Coercion Bill, because the Coercion Bills that had been passed to deal with Ireland had been of a far more restrictive nature than that Bill. He wished to deal with the Bill not as a Coercion Bill. He believed that it had been brought in with the highest and most laudable motives that could actuate a Member of that House in bringing in a Bill; but what he wished to impress upon the Committee was, that they should take care that the House should not be made a party to such legislation as was proposed on the faith of Petitions got up by people who had a regular and salaried organization for obtaining signatures to Petitions. It might be true that nine-tenths of the Towns Commissioners had signed the Petitions. If that were so, let them leave to them the responsibility of carrying the law into effect if they chose to do so. He would say that, if on the Report, his hon. Friends could show that his clause would give a greater licence in point of hours to certain corporate towns in Ireland than they now enjoyed, he would be perfectly prepared to amend it in such a way that no possible addition to the present hours should be granted. He hoped that the Committee would find it right to support the clause.

Mr. WHEELHOUSE said, that he, to use the emphatic words of the hon. Member for Ennis (Mr. Stacpoole), also disliked this Bill, root and branch, and his most strenuous opposition should be given to it at every stage. He said this in order to remove all possible misunderstanding with regard to the course he proposed to take in reference to this Amendment. He saw no objection to the term, as applied to this measure, of a "Coercion Bill;" for though it was true that, in the ordinary political sense of those words, it might not be so, yet, to all intents and purposes, it was a measure of intended domestic coercion, since it was a Bill introduced by a certain body of persons—call them Sabbatarians, teetotallers, friends of the people, or what they would—the promoters of which were endeavouring to coerce their poorer neighbours, the wage-earning classes of Ireland; and, moreover, this was to be done through the combined efforts of people who, he ventured to think, knew very little of the wants and requirements of the labouring population, and who would not, themselves, be affected in the slightest degree by the proposed legislation. For these reasons, the Bill itself should have his most strenuous opposition; but there was another thing he disliked nearly as much, and that was any approach to the so-called principle of permissive legislation, by local option, on this subject either in England or in Ireland. Imperial legislation ought, if necessary, to take upon itself to say what was right, and to carry into execution that which was right and good. Therefore, although he should be willing to support the clause if he felt he could do so, yet, because it came so near the principle of permissive legislation, he found himself unable to vote either one way or the other—not that he shirked the responsibility, but because he was bound to oppose anything like such legislation in all matters relating to individual or domestic habits. He himself had, and could have, no personal interest in the drinking habits, or in the consumption of drink either in England or Ireland; but he was certainly opposed to all needless interference with the domestic habits of the poor. The labourer should be allowed to go to a public-house—generally his substitute for a club—at any reasonable hour, either on Sunday or any time else, so long as he conducted himself reasonably and respectably. Why deprive him of his reasonable refreshment on that day of the week, especially when it had been shown there was less drinking on it than on any other? If it were necessary to make any change, it would be far wiser to give more control to the magistrates than to put the power into the hands of the Town Councils. So far from being an admirer of these bodies as they were now constituted, he believed most firmly that no greater legislative mistake had ever been made, than that by which the present municipalities were formed. Time was when there was, perhaps, something in a Corporation; but, elected in the present fashion, the less the municipalities had to do with legislation of this character, so much the better for them all. If the principle were once admitted into this Bill, there was no telling where it would lead or land them, but clearly into complications of every possible kind. Let the House deal with the question if it pleased; but keep off permissive legislation, especially by Town Councils. He was sorry not to vote for the proposed Amendment; but it must not be therefore understood that any of his objections to the measure had been in the slightest degree altered or removed.

MR. COLLINS said, he was afraid that a certain amount of confusion of ideas had been imported into the debate by the introduction of that unfortunate word "permissive." He was as much opposed to the principle of the Permissive Bill as any hon. Gentleman in that House; but, in considering the Amendment before them, with all the objection he entertained to that principle of permission, he could not for the life of him see anything in the clause introduced by his hon. Friend which would influence his judgment in supporting that clause, even with the views he entertained upon the subject of the Permissive Bill. Now, with regard to the discussion which had taken place, it had been accepted and not contradicted, that nine-tenths of the municipalities of Ireland—and he believed the number of towns under municipal law in Ireland was 110 or 111—had petitioned the House in favour of the Bill; and, therefore, the supporters of the Bill could, at all events, calculate upon the support of at least nine-tenths of those institutions. But, then there was the question of the one-tenth, which might fairly and very properly be taken into consideration by the House. He would not say, nor would he contend for a moment, that the entire number on either side were absolutely in favour of the principle of the Bill or opposed to it. But he knew, from his own experience and knowledge of some of those towns, that a few of them might be very seriously affected, he did not say in their material interests so much as in their moral interests, by the introduction of that Bill. Now, to illustrate a view of that kind, he would take the case of the borough he had the honour to represent—that of Kinsale—and he would associate with that town, inasmuch as the interests of the two were so closely identical, the case of Queenstown, which was near Kinsale. He would not touch upon the material interests of those towns, but would confine himself to the moral effect of the Bill upon those places. Both Queenstown and Kinsale were seaport towns, and places of extensive resort on Sunday by the working classes. They left the larger town of

Cork, and they engaged in excursions by land or by water to Queenstown and Kinsale. It was a matter of notoriety that in the case of the respectable people who left these large towns on Sundays for the purpose of recreation and enjoyment—it was a matter of certainty incontrovertible that there was no drunkenness—or, at all events, that the cases were very few of drunkenness—among excursionists, and that no objection on that score had been taken to them. Now, with regard to the moral effect—what would it be? It would be this—they gave an opportunity, by permitting the houses for the sale of intoxicating liquors in the larger town of Cork to remain open, to those respectable people of enjoying themselves in the ordinary way in town as they were now accustomed to do in the country. At present they went to the country for pure enjoyment, and not for the purpose of drinking; but if they found that in Queenstown or Kinsale there were no opportunities for taking the ordinary refreshment, which every Gentleman in that House or of a like position out of it would contend he had a right to take when it suited him. The effect upon those people would be that they would be prevented from enjoying themselves in the way that everyone in that House would endeavour to promote—that was to say, in a peaceful, respectable, and quiet way. They would be restrained, in fact, by the restrictions which were incautiously and injudiciously imposed upon them; and a great number of them would be constrained to remain in Cork, where they would be allowed to drink as much as they liked, and in that view he maintained a large amount of mischief would be done. He was not willing, for the mere purpose of obstruction, to interfere with the decision arrived at; but he would simply appeal to hon. Members, like the hon. and learned Member for Leeds (Mr. Wheelhouse), and the hon. Member for Sligo (Mr. King-Harman), not to be influenced by considerations such as those that they had put forward, that was in reference to the comparison of ideas engendered by the notion of permission in legislation upon the subject of the sale of intoxicating liquors, but putting that view aside, and simply upon the merits of the question, to determine upon the vote they would give that day.

MAJOR O'BEIRNE said, he should certainly oppose the Amendment, as there was no question about it that, if drunkenness were anywhere on the increase, it was in the towns. He thought it was the greatest mistake possible to have yielded a hair's breadth with regard to the towns. One inevitable result of the concessions which had been made was, that in the large towns there would be rioting and drinking going on all the Sunday. The sort of compromise he should be willing to accede to would be to open the houses in country places, five miles from town. He thought that the very fact of having to walk five miles before obtaining a drink, and then walking five miles back, would be sufficient to deter people from going for the mere sake of drinking.

MR. P. J. SMYTH said, that the promoters of that Bill appeared to delight in surprises. The day before, and the day previous to that, the Sale of Intoxicating Liquors Bill was nowhere in the Order Book. To-day they came down to the House and found all the Orders swept away, and Sunday closing had the course to itself. The practice, he presumed, was regular; but he thought it needless to say it was extremely inconvenient. He should support the Amendment of his hon. Friend, but without at all being understood as approving in any way the permissive principle. There were two important towns with which he was connected concerned in that Motion. One of them was Athlone, which was a town situated partly in Roscommon and partly in Westmeath. It was a very important town, and especially the Westmeath portion of it. It had large fairs and markets, and military barracks with accommodation for 1,500 men. Moreover, the inhabitants of Athlone, to the number of 3,000, had petitioned against the Bill. That Petition was unimpeachable. Another important town in Westmeath was Mullingar, the capital of the county, which was governed by a body of Town Commissioners. That town had large military barracks, and had also, by a large majority of its inhabitants, protested against that Bill. They adopted a Petition against it, and that Petition was presented. That very Bill was once opposed, also, by Members of a Liberal Government; but it was supported by the Liberal majority of to-day. If he was not mistaken, the noble Lord, who was now the Leader of the Opposition, but who, at the time to which he referred, was Chief Secretary for Ireland, strongly opposed the Bill, and characterized it as class legislation. If it was class legislation then, it was class legislation now; and yet they had the strange spectacle presented to them of the bulk of the Liberal Party, its Leader and his followers, coming down to that House day after day, and night after night, to force through it that measure of class legislation—that measure which shocked every principle of Liberalism, and was opposed to every tradition of the Liberal Party. The noble Marquess the Leader of the Opposition said he went by mistake into the wrong Lobby the other night in a division on the Bill, in which he found himself among its opponents. The noble Lord explained his mistake, as he had a right to do. He (Mr. P. J. Smyth) hoped he might be pardoned for thinking that the mistake was not in the act, but in the explanation. They had seen, also, the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) there at 3 o'clock in the morning, aiding, as much as he could, in an attempt to pass the clauses of that Bill through Committee at an hour when fair discussion on them was an impossibility.

MR. E. J. REED rose to Order, asking the Chairman, whether the matters to which the hon. Member was referring were applicable to the clause under consideration?

SIR JOSEPH M'KENNA submitted that the hon. Member was perfectly in Order, inasmuch as the question before the Committee was the propriety of extending to smaller, but corporate towns, what had already been conceded to the larger ones; so that the hon. Member was in no way attacking the principle of the Bill.

THE CHAIRMAN said, that the clause now before the Committee was one which, practically, raised the question of the propriety of applying the provisions of the Bill to all the smaller towns of Ireland; and upon such a clause it was not easy to exclude some discussion of the general objects of a Bill. At the same time, it was not usual to revert in Committee to circumstances which had taken place in the discussion of other clauses in the Bill, or to arguments used in such discussions, except in so far as they might be directly pertinent to the immediate objects of the clause.

MR. P. J. SMYTH said, that the principle for which he and the other opponents of the Bill contended, was the principle for which the Liberal Party contended a few years ago. They held that this was a Bill which affected the personal rights of man in society; and because they insisted on those rights being maintained by the House, they put on record their protest against the Bill. He did not intend to infringe upon the practice or the Rules of the House. But whatever might occur, he felt that they, at least, had been true to the great principles which should guide legislation in that House.

MR. SULLIVAN thought the hon. Member who had just sat down had hardly spoken to the question in charging hon. Members with gross inconsistency, in calling the Bill "class legislation," and in saying that the Liberal Party had changed their line in reference to it. The hon. Member now denounced the Bill as an outrage on the rights of man in society, and opposed to all true Liberalism; but there had been others besides the Liberal Party who had made flank movements on this question, and he would read what the hon. Member wrote in a letter in 1875 on this question to those who called a meeting in support of it at Athlone. He said—

> "Sunday closing, as a branch of the temperance question, stands apart, and may be discussed on its own merits. In principle it has my cordial approval, and I should hold it in practice as a beneficent reform. I do not consider that the publican has, in the abstract, any more right to dispose of his goods on the Sabbath day than the butcher or the baker."

["Read on!"] Let the hon. Gentleman read the letter if he would. He (Mr. Sullivan) would not interrupt the hon. Gentleman. He had read from it an extract which covered the whole scope of the Bill, not with the view of proving that the hon. Gentleman had turned right-about-face in that or any other matter, but of showing the Committee how much weight should be attached to his words, when he charged hon. Gentlemen with holding one view one day and another view another day.

MR. P. J. SMYTH said, he had not a copy of the letter with him, and he could not therefore read it. He could only speak of it from memory, and as well as his memory served him, the circumstances were these—He was invited to attend a meeting in favour of Sunday closing, which was to be held at Athlone. He wrote declining to attend, giving reasons for being opposed to the object of the meeting. The passages read by the hon. and learned Member for Louth were true, and he remembered the letter containing them; but they referred to voluntary Sunday closing, and he repeated that if people chose voluntarily to close their houses, he should hail it as a good reform. In the letter referred to, however, he did distinctly express his opposition to Sunday closing by Act of Parliament. He trusted that this explanation would be received with satisfaction by the House. He did not retract a word he then wrote, but adhered to every one.

Sir PATRICK O'BRIEN observed, that a great deal had been said in reference to this question, on the one side and on the other, and feeling and unhappy differences had been exhibited both within the House and outside it, which he very much regretted. Any observations he might now venture to address to the Committee should not have for their object the creating of an acrimonious discussion, but that of bringing them to the consideration of the question before the Committee. On two occasions only, in the many years during which this question had been agitated in the House, had he ventured to intrude his opinions upon it, and only on one occasion—when the principle it contained was brought before the House—did he give his vote one way or the other. But times had changed since then. That great principle, as it seemed to him, was now a dissolving view. He was told there were persons who supported that great measure, as it was called, on one of two grounds—one, the strong interest which they took in the cause of temperance; and the other, the feeling which some expressed that the Lord's Day ought to be kept holy. Some gentlemen had sent him a circular on the previous day respecting the English Sunday Closing Bill, and they asked him to give his support to it on the same ground of keeping the Lord's Day holy. Not even to those gentlemen would he yield in holding that the due observance of the Sabbath was a thing most desirable; but they must not regard the great question of keeping the Sabbath Day holy with reference merely to the views held concerning it within the narrow limits of the British Isles. They must take a much wider view of it, and see how the same question was regarded in other parts of the world. If they did so, they would see that in both Catholic France and Protestant Germany views were held on this very question that were not in harmony with those of the gentlemen to whom he had referred. Allusion had been made in the course of these debates to the working of the Forbes-Mackenzie Act; but he did not think there was any Member of that House connected with Scotland who would say that the motive power which prompted the passing of that Act was temperance, and that Sabbatarianism had nothing to do with it. He mentioned those things *en passant* with regard to the view he took of the Bill in its mutilated form. No one would be able to go back to Ireland and say if this Bill passed—as pass it most probably would—that it was a Bill that had extended a great mercy to Ireland. For what did they see? They saw that on every platform on which a discussion was raised in reference to it, the state of the artizan population as regarded temperance had been the first consideration. And yet what was the result? Why, that in five of the largest towns in Ireland, where, if anywhere, the Bill should be put in operation, it would not be put in operation at all; and that while those who had promoted the Bill had declared they would accept nothing but justice, they had agreed to a compromise exempting those places, but imposing it on localities where no case had been made for its imposition. They had to consider that a Bill which had been promoted during several years for the accomplishment of a great social reform had been flung to the winds, the only five places in which it had been found to be at all necessary having been specially exempted from it; while they had a number of Gentlemen connected with an association in Dublin, wanting to cover a disastrous retreat by stating that the Irish counties which, on the authority of the Returns granted last year, were proved to be most temperate were really not so, thus attempting to unfairly defame the rural districts of Ireland. He heard people say they were anxious for great social improvements. If there was room for great social improvements—and he did not say there was not—they had a right to come there and express their opinions, and endeavour to enforce them, pushing them, if necessary, to the bitter end. But that was not for those who attempted to pass a coercive measure like this. It was not for men who said—"We wish to God circumstances did not render it necessary for us to make this demand on the Government, and to coerce an unwilling people, but stern necessity compels us," to take such a course. They had before them, not a coercive measure, having for its object the carrying out of a great social reform, but they had before them instead a number of Gentlemen anxious for the passing of a mutilated Bill, in order that, at the termination of the Session, they might be able to go back to Ireland and address excited meetings of people whose views were honest but unquestionably narrow, and say to them—"We have had a great triumph." A triumph! Where would be their triumph? The Returns showed that none of the counties—take, for instance, Leitrim and Limerick—in which the Bill was to be applied, were intemperate; but, in order to assure their triumph, these Gentlemen flung to the winds those Returns and branded those counties with disgrace. There were, of course, troublesome men to be found in every county, who were always ready enough to find fault with their Representatives. He came into the House many years ago, and had ever since endeavoured to represent fairly the opinions of his constituents; but he would not for a moment remain in the House if, for the purpose of catching votes, or to avoid being unpopular, he were to desert those on whom he felt that an unwarrantable attack had been made. One other observation he would make. Of all countries that in which over-legislation was least desirable was Ireland, and especially legislation of a coercive character, when Bills restricting personal liberty—which, unfortunately, too often were introduced into that House, were presented. Right hon. Gentlemen on both sides regretted their being obliged to do so, and attributed their action to unavoidable necessity; but where was the necessity here? There were, he knew, those who said—"Give us this Bill and we will soon bring in Sunday closing in the towns also." Hon. Gentlemen might think that argument had weight, and respect it accordingly. It had not for him any weight whatever. He regarded the Bill as a Bill not demanded for Ireland, and as not attaining the end for which it was brought in. The Petitions which had been presented prayed for a measure for the restriction of intemperance in the large towns, and had no connection with Sunday administration, and had been presented, not in favour of this, but of a very different Bill, and the House was called upon to forget its high position as a great legislative Assembly, and to become a whitewashing Committee to enable the promoters of the Bill to cover a ridiculous retreat. He wished to avoid all unnecessarily harsh language in speaking of the Bill, but in the shape in which it now presented itself to the Committee, he could only regard it as an imposture and a sham.

Mr. O'SULLIVAN said, he entertained very strong opinions in regard to the Bill. He was glad to find that the promoters of the Bill, in addition to the days the Government had placed at their disposal for bringing forward the measure, had succeeded in inducing their Friends to give them up a Wednesday. If the Government would only find two or three days more, there might be some hope of getting out of Committee. With regard to the Amendment, it pointed directly to a question which the House was always willing to encourage—namely, the local government of towns. Both the Government and the Opposition were always willing to respect the opinions of the local authorities in the different towns, and all the hon. Member for Youghal (Sir Joseph M'Kenna) asked was, that before the Bill was brought into operation, the opinion of the Town Council or of the Town Commissioners, as the case might be, should be taken, and their view ascertained as to the desirability of putting the Act in force. It was said that this would convert the measure into a sort of Permissive Bill. His own opinion was that it was nothing of the kind. A Permissive Bill gave power to the inhabitants to impose upon people a measure which the minority might not agree with or like; but the present proposal was that power should be given to the Town Council, or other local authorities, to refuse to adopt the provisions of the Bill if they did not approve of them. It was, therefore, quite contrary to the principle of a Permissive Bill. The hon. Member for Roscommon (the O'Conor Don) asked if the local authorities could always be trusted to decide the question, and his hon. Friend added, that so far the Town Councils and Town Commissioners had petitioned over and over again in favour of the Bill. If that were so, there was no reason why his hon. Friend should resist the Amendment; but, on the contrary, it was a strong reason why he should support it. There was another matter that was well worth consideration. If the Bill was calculated to do good to the locality, it was not at all likely, if the power was placed in the hands of the local bodies, that they would be likely to abuse it. If they regarded it for the interests and well-being of the community, he was quite sure they would adopt the provisions of the Bill; but if, on the other hand, they thought it would be injurious and would do harm to the municipality, they ought to have the power of rejecting it. These were the reasons why, at any rate, they should have the power which the Amendment sought to give them. There was nothing unreasonable in it; it only gave them power to deal with a local question. It was not an Imperial, but a local question; and, as a local body, they ought to be able to decide whether they would call the Act into operation or not. If Parliament unwisely forced the measure upon them, they would feel that it was nothing more nor less than a Coercion Bill. With regard to the support which it had received from the Members of that House, it would be borne in mind that it had been stated that the measure, and the Amendments proposed in it, had been supported by a large majority of the Irish Members. It was as well to disabuse the disinterested Members of the Committee of that idea. It was true that the majority of the Irish Members were favourable to the Bill, and that they were opposed to some of the Amendments that had been suggested; but it was right the Committee should know how the votes of the Irish Members stood upon the question. The right hon. Member for Greenwich (Mr. Gladstone) told the House that the reason he supported the Bill was that there was an overwhelming number of the Irish Members in favour of it. It was only right, therefore, to see how the votes stood. He found that, in the first division upon the Bill, 25 of the popular Home Rule Members voted for the Bill, and 19 against it. That was certainly a majority, but not the overwhelming majority the House had been over and over again led to believe was in favour of the Bill. So far as the people of Ireland were concerned, he was satisfied that more than three-fourths, or even four-fifths, of the population affected by it were opposed to its provisions. He had challenged his hon. and learned Friend the Member for Louth (Mr. Sullivan) to convene a public meeting in the Phœnix Park in order to allow the people to decide for themselves whether they were in favour of the measure, but his hon. and learned Friend did not seem inclined to accept the challenge. He (Mr. O'Sullivan) found that there were five Irish Whig Members in favour of the Bill, and only one against it, and of the Irish Conservative Members, 20 were in favour of the Bill, and only two against it. What was the total result? Over and over again they had been told there was an overwhelming majority of the Irish Members in favour of the Bill —not of the Irish Party only, but of the Irish Members. One hon. Member went so far as to assert that there were 95 in favour of it; but of the total Irish votes upon the Bill, 50 were in favour of the provisions as they stood and against the Amendments, while, on the other side, there were 20 opposed to the Bill. It was true that this was a majority, but it was not an overwhelming one.

The CHAIRMAN said, the hon. Member appeared to be travelling outside the clause then before the Committee, which had reference only to the application of the Bill to the smaller towns of Ireland under the charge of the Town Commissioners.

Mr. O'SULLIVAN had no intention to travel outside the Amendment, but was simply following the arguments made use of by hon. Members, as to the number of Irish Representatives who were in favour of the measure. He had not thought it out of place to endeavour to show that there was not an overwhelming majority in favour of it. There were many townships surrounding the City of Dublin, and the result would be, if they passed the Bill as it stood, with the Government proposition to exempt the five large towns, and rejected this Amendment, they would prevent the people of Dublin from going beyond the city to take recreation on a Sunday. The principal place of recreation was the Phœnix Park; and if the Bill passed, the people who went there would not be able to obtain refreshment; whereas, if the Amendment were assented to, they would get it, and be able to return into the city after enjoying their holiday. If the Amendment were rejected, the result would be that every person who went into the Phœnix Park for purposes of recreation would be compelled to return to Dublin if he required refreshment. Surely, it was strange that they should be called upon to make a certain ring, and say to the people—"You may drink as much as you like within that boundary; but if you go outside of it you shall not drink at all."

SIR JOSEPH M'KENNA thought his hon. Friend was labouring under a misapprehension. The clause now before the Committee would not have the effect his hon. Friend supposed, nor would such a restriction exist in regard to the neighbourhood of Dublin. As the Bill stood at present, the whole of the metropolitan district of Dublin was exempted, and all the people of Dublin would be comparatively well off. It was only to the other centres of Ireland that he wished to apply the same legislation. He had interrupted his hon. Friend, because he did not wish to remain passive while an impression was produced in favour of the clause which would be erroneous, and which was not one that he could himself sanction.

MR. O'SULLIVAN would certainly give way to his hon. Friend, and the views which his hon. Friend expressed in regard to the Amendment; but he was certainly under the impression that if the provisions of the Bill remained unaltered, they would affect the townships around Dublin, as well as the smaller and independent towns. So far as the Amendment was concerned, he had not heard a single argument against it. The hon. Member for Tyrone (Mr. Macartney) said that it would cause agitation; but was that a reason why the Committee should reject it? The hon. Member also asked if it would be fair to confine the Amendment to the small towns and not extend it to the large towns? He (Mr. O'Sullivan) was satisfied that those who were in favour of the Amendment would have no objection to extend it to the large towns; because he was quite sure that if the power of carrying out the provisions of the Act or not was placed in the hands of the Town Councils or Town Commissioners, they would act in accordance with the wishes of the majority of the people. He thought it was monstrous that because 2 per cent of the population of any particular place got drunk, the other 98 per cent should be punished. He should certainly vote for the Amendment.

Question put.

The Committee *divided:* — Ayes 41; Noes 126: Majority 85.—(Div. List, No. 155.)

MR. COLLINS said, that he would confine his remarks, as far as possible, to the clause which he had now to propose, and which had reference to the determination of the Act. It was to this effect—

(Period of determination of Act.)

"That this Act shall continue in force till the thirty-first day of December one thousand eight hundred and eighty-one, and no longer, unless Parliament shall otherwise determine; and, on the said day, all the provisions of any Act now in force regulating the hours of opening or keeping open of any premises for the sale of intoxicating liquors on Sunday shall come into operation and take effect as if this Act had not been passed."

After the ample discussion which the principle of the Bill had undergone in the House, it was unnecessary for him to travel over the arguments which had been adduced on either side, except in so far as they bore on his proposed clause. The object of that clause, as appeared, indeed, upon the face of it, was to limit the duration of the Bill to a period of about three years from the time of its coming into operation. He was anxious to elicit the opinions of hon. Members upon a tentative measure of this extraordinary character, which sought to interfere with the known habits and tastes of a large section of the people of Ireland. It was only fair, just, and reasonable to ask that, if a measure of that kind was to be sanctioned at all, a limit should be put to its duration. It had been established conclusively by the evidence which had been put before the House that the amount of drunkenness on Sunday was not, at all events, very considerable. Statistics adduced in the course of the discussions on this Bill, and extending over a period of five or seven years, had shown that not more than one in 1,000 of the persons who frequented public-houses on Sundays was accused or convicted of intoxication; and even that small number probably belonged to a class of men who, under any possible circumstances or conditions, would find means to possess themselves of opportunities of becoming intoxicated. In regard to the people of Ireland, his first contention was that those who had recourse to public-houses on Sunday were not addicted to intoxication. Anyone who had had experience of the habits and character of the Irish people knew that it was almost a necessity for them to have a reasonable amount of recreation and enjoyment on the Sunday, and that any attempt to interfere with their rational enjoyments would be resisted and looked upon as a very great grievance. If, in these days, persons had recourse to public-houses on Sunday for the purpose of obtaining simple refreshment, they need not necessarily be accused of impropriety or intemperance; and he asked, what would be the feelings of those people when they found that that House had by legislation taken away from them the opportunities of enjoying their Sunday refreshment which they had possessed for years past? This would explain the object of his clause. They were all liable to err. He had no doubt whatever that the promoters of this Bill were actuated by the very best intentions, and he would spurn the imputation that the hon. Member for Roscommon (the O'Conor Don) and the hon. and learned Member for Louth (Mr. Sullivan) were advocating what they believed to be a coercive measure, damaging to the interests and happiness of the Irish people; but he repeated that even his hon. Friends, with the very best intentions, were liable to err. He would not presume to say that they were wrong, and that the opponents of the Bill were absolutely right; but he would say, that in the circumstances it was fair to ask that if this measure was to be allowed to pass, it should be made tentative, and that it should be submitted to the country during a period of three years, in order to see the effect of it on the minds of the people, how far their prejudices or their tempers were compromised by it, and to what extent, if at all, they were likely to repudiate it. If, after three years' trial of the measure, the people, instead of finding it to be a wrong or injury, should declare it to be a great blessing, which had added considerably to their welfare and happiness, then the Gentlemen who had opposed the Bill, whether in or out of the House, would cordially associate themselves with those who had advocated it, and would not treacherously or improperly oppose the continuance of the measure. An idea presented itself to his mind, however, which led him to hesitate very much as to the policy of this legislation. Whilst they were proposing to deprive the people entirely of the inducements they at present possessed to enjoy themselves on Sunday in the open air, they were not, so far as he could see, making any attempt to open up fresh channels into which they might direct the people for purposes of enjoyment and recreation. Now, if this Act were to determine, as he proposed, in 1881, there would be many opportunities in the meantime of discussing its policy. More particularly there would be the opportunity afforded by a General Election, which at the best could not be very long deferred, of considering what were the advantages or disadvantages which had resulted from the measure, and he had no doubt that any new Parliament which might be summoned by the Sovereign would be influenced by the same earnest and patriotic desire as was the present Parliament to do all in its power to promote the interests of the people. It was therefore important that the new Parliament which, in 1881, might be called on to re-consider this question should have every possible means afforded it for arriving at a sound and sufficient judgment. In the interests of the people likely to be affected by this Bill, he asked that some limit should be put on its operations. Although he had suggested that the limit should be three years, he was not wedded to any particular period; but it occurred to him that by that time the new Parliament would have assembled, and sufficient experience would have been afforded of the operation of the Bill to enable a final judgment to be formed upon it.

Clause—(*Mr. Collins,*)—*brought up* and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. FORSYTH said, that during the last and the present Session he had taken no part in the discussions on this Bill; but when the subject was introduced three years ago, he voted in favour of Sunday closing in Ireland, and he should continue to do so until the Bill had passed through all its stages. The principal reason why he supported the Bill was because he believed it to be asked for by a very large majority of the Irish people, and because it was supported by a great majority of the Irish Representatives in that House. He thought that in questions affecting the social well-being of Ireland—not political or Imperial questions—the Irish people themselves were the best judges of what would be most calculated to promote their interests. But he was bound to say that his opinion as to the unanimity of feeling, and as to the strength of the majority, had been somewhat shaken. He found that evidence was given before the Committee in that House which showed that there was a very strong feeling indeed in Ireland—by no means the feeling of the majority, but still a strong feeling—of a large minority against the operation of the Bill. And, considering the perseverance and ability with which this measure had been contested by the Irish Members, it was impossible not to see there was an influential minority in that House who were opposed to it. That being so, he had to ask himself whether it was or was not a fair thing to allow this measure to be tried as an experiment. On the one side, they were told that the greatest possible benefits would arise from the passing of this measure. That was his earnest hope, and partly his belief. On the other hand, they were told by those who ought to know something of the Irish character, that very great evils would arise from it; that the people would be discontented; and that drunkenness would not be diminished. It seemed to him that, under these circumstances, it was a fair proposal to pass the Bill for a limited time, only as a matter of experiment. It was just one of those things which could be determined far better by practice than theory. If those who, like himself, supported this Bill, were right, then the trial of it would show to demonstration that those who opposed it were wrong, and there would then be no difficulty in making the measure permanent. If, on the other hand, the predictions of those who opposed the Bill were right—if it turned out that drunkenness did not diminish, and that the Irish people were more discontented, then beyond all doubt this measure ought not to be permanent. As he understood, this question did not come before the Irish people at the General Election in 1874. Although he did not go so far as to say that this House was not to legislate upon any question which had not been made a kind of test question at a General Election, still, on a question affecting so much the habits of the people, their tastes and general well-being, he thought it was not unfair to ask that there should be an expression of opinion afforded to the Irish people at a General Election before this Bill was made permanent. He did not think the promoters of the Bill could be prejudiced by the Amendment, and therefore he should give it his support.

MR. SHAW entirely agreed with the hon. and learned Member who had just sat down, although he approached the Bill from an entirely opposite point of view. He opposed the measure, but admitted that there might be parts of Ireland to which it might apply with benefit; and, therefore, he could not see how it could injure either its promoters or opponents to let it be tried as an experiment. It was a serious thing to change suddenly the social habits of the people, as was proposed by this Bill; but if the measure worked well, if it did not lead to secret, illicit, household drunkenness, and proved acceptable to the people generally, then he should be most anxious to make it a permanent measure. Knowing, as he did, the South of Ireland, and well acquainted, as he was, with the habits of the people there, he doubted very much whether the Bill would not create more evils than it was intended to cure. The habits and customs of the people in the South were quite different from those of the people in the North. The people in the South of Ireland were not Sabbatarian. They attended their places of worship; but, after being at church, they did not think it the slightest harm to indulge in amusement; and all hon. Members must know that when men engaged in open-air sports they got thirsty, and that a good many could not quench their thirst from that pure, natural, and limpid stream which some hon. Gentlemen did not go beyond. There were hundreds of cases in the South of Ireland in which strong and vigorous men, after spending a couple of hours in a match at hurling, or in some other out-door competition, adjourned to the public-house, and drank their pint of porter or their glass of whisky and water, and no harm whatever was the result. On the contrary, drunkenness, in such places, was the exception and not the rule. In the City of Cork, in which he resided, he knew that two packs of harriers were kept up by young men, who went to their places of worship on Sunday morning; but who, between 12 and 1 o'clock in the afternoon, were to be seen trooping out to the suburbs for the purpose of hunting hares. He did not think there was a bit of harm in that. He would rather see those young men so occupied than see them engaged in card-playing and other evil practices. But if hon. Members suddenly did what the Bill proposed, and thereby upset and disarranged all the habits of the people, he feared that more harm than good might be the result. He was anxious to try the experiment; but in every social movement the great object of legislation should be to meet, as far as possible, the habits of the people; and to take the people with that movement, instead of acting hastily and extremely. They should anxiously endeavour to avoid driving the people into evil courses, or confirming them in such courses, by sudden and repressive legislation. He had really imagined that the Amendment under discussion had been, to some extent, accepted by the promoters of the Bill. He hoped that it would be accepted by the Government. He believed that the Gentlemen on the Treasury Bench were wise men, moderate men, and men anxious to do the best they could in this case; and, if they agreed to the Amendment, he thought hon. Members might regard the Bill as passed. No doubt, there was one contingency which, even in the event of that agreement, might prevent such a consummation; and that was the contingency of a General Election. Upon that matter, he should like if some information were forthcoming from the Government Benches. Of course, should a General Election soon occur many measures would have to be abandoned; and, probably, this amongst the number. But if a General Election were not to come for some months yet, there was still time for a discussion of the Bill. Even in that case he would look upon the measure as already substantially passed.

The O'CONOR DON said, he could not but admit that the Amendment had been placed before the Committee by the hon. Member for Kinsale, and by the hon. Gentleman who had just spoken, in a most temperate manner; and one which ought to command the attention of the promoters of the Bill. He desired to meet his hon. Friends in the spirit in which the Amendment had been proposed and supported; and, if those hon. Gentlemen would now undertake to say, on the part of the opponents of the measure, that they would allow it to pass and withdraw any hostility to it in its future stages, he, on behalf of its promoters, would accept the principle which was involved in the Amendment and permit the clause to be read a second time. But, at the same time, he should like to make one or two remarks with regard to the details of that Amendment. Three years constituted, in his opinion, too short a period. Three years would only lead to a continuous agitation during the whole of that time; and that would be a short period even for those who were engaged in the trade, a class of men against whom he had never said one word in the House. An agitation would be kept up during the whole of the three years, which could hardly fail to be prejudicial to the trade which those men carried on, and which would depreciate the value of their property. He quite understood the position which the persons to whom he referred occupied; he quite understood why they had acted as they had done upon this question; he believed that the members of any other trade in the country, if similarly circumstanced, would have acted in a similar way; but he held that a period of three years would be too short both in their own interests and in those of the public. At the same time, he was quite ready to admit the principle that the Act should be only of temporary duration; and that it should be tried as an experiment. He thought that the promoters of the Bill might claim a little more than the compromise he had suggested; but, still, they did not desire to do so. The Government, at the beginning of the Session, through the mouth of the then Chief Secretary for Ireland (Sir Michael Hicks-Beach) had told the House what they considered ought to be done in order that the Bill might pass, and what were regarded by them as the utmost limits of concession. Had the right hon. Baronet to whom he referred said—"We will not object to the passing of this Bill, but, on the contrary, we will give you facilities for its progress, if you allow it to be of a temporary character," the promoters of the measure would at one have accepted such a proposition. But the right hon. Baronet did not do that. He proposed, in lieu of it, that certain towns should be exempted from the operation of the Bill; and now, when a concession as to the duration of the measure was asked for, he thought the advocates of the Bill might fairly have pressed upon the Government that, in the event of any such concession being made, the Bill itself should apply to the whole, and not to a part of Ireland. But while he considered that those for whom he spoke might very fairly have put forward that request, he would not press it, if the Government did not make it of themselves. Were concessions, however, all to be made on the one side without anything being received in return—and not only without anything being received in return, but with the greater part of the time being occupied with a discussion, upon every new clause, of the principle of the Bill which had been debated over and over again? He had endeavoured to meet his hon. Friends in a proper spirit; and he hoped the result would be that a conclusion would be come to which would put an end to what must be an annoying and irritating subject to many in the House.

MR. KING-HARMAN said, that having given Notice of an Amendment somewhat similar to that of the hon. Member for Kinsale—an Amendment which he had not brought forward on a recent occasion in consequence of the lateness of the hour—he might be permitted to address a few words to the Committee. When he first mooted the suggestion that the Bill under consideration should be a temporary measure, he did so upon the ground that, although he had studied the question as well as he possibly could, although he was a resident in Ireland, and although he thought he understood the wishes and habits of the people, he could not make up his mind as to whether the measure would be fraught with mischief or with benefit to the community. He had admitted that a large number of influential bodies had petitioned in favour of the measure; but he had doubted whether those bodies thoroughly understood what the effect of the Bill would be if it came into operation. Upon those grounds he had hesitated—and upon those grounds he still hesitated—as to whether the Bill would be attended with the result which its promoters anticipated. If it should have the beneficial effect which some hon. Gentlemen appeared to expect, no man in all Ireland would more sincerely rejoice than himself. He desired the amelioration of his countrymen; he had not opposed the Bill *in toto;* but he believed that such an Amendment as that now under consideration might be adopted with advantage. Such a limitation as that proposed would yet be a very fair trial of the principle and action of the measure; and he, for one, was thoroughly disposed to accept the compromise which had been suggested by his hon. Friend the Member for Roscommon (the O'Conor Don), but with one exception, and that exception was this—that he considered three years would be quite sufficient. He thought that every argument which could be used against three years would be capable of being used against five years. Three years, in his opinion, would test the measure thoroughly. A General Election would take place in the interval; and the general feeling of the people could then be elicited. His belief was that the inhabitants of Ireland would know sufficiently well, not in five years, but in five months, what the effect of the radical change contemplated by the Bill was likely to be. Petty sessions' records would show, the appearance of the people would show, the state of the savings banks accounts would show, whether the measure had been attended with the beneficial results which its promoters anticipated. But if, on the other hand, the inhabitants of Ireland were to be as damaged, as the opponents of the Bill alleged they would be, there would be disturbance and riot within six months. As to the agitation which had been promised by some timorous supporters of the Bill, he desired to point out that agitation would probably be got up all the same, whether the measure were passed for five or for three years. There was certainly no particular charm in three years, except this—and the advantage was not inconsiderable—that that period would bring the matter to a conclusion in a shorter time. If his hon. Friend the Member for Roscommon would accept three years, he would engage, on his part, to support him heartily in endeavouring to pass the Bill through its remaining stages.

Sir JOSEPH M'KENNA said, he regretted that he could not support the Amendment of the hon. Member for Kinsale. With reference to the remarks which had fallen from the hon. Gentleman who represented Sligo, no doubt six months would suffice to show how the Bill worked; but he differed from his hon. Friend as to what would be a proper test of the opinion of the people. The hon. Gentleman had spoken of savings banks; but he did not think that the amount of money in those banks would be any test whatever. Last year, for example, there had been a bad harvest in Ireland; but next year there might be a good one, and the consequence might be that, while there might be a great deal more drinking than in the period immediately antecedent, there might also be more money in the savings banks. If this Bill were a good Bill, it ought to be passed in a chronic form, and continue to operate; but, if it were a bad Bill, it had better be debated and deliberated upon next Session, in the light of further information and experience. He did not believe that the plan which some hon. Gentlemen had advocated would apply any salve whatever to those who would be affected by the measure. What the hon. Gentleman desired appeared to be a mode of silencing those who would believe themselves to suffer under unfair restrictions if the Bill were passed, what would be urged, in effect, would amount to this—"Oh! this is only a temporary measure; it will come to an end in three years, and then Parliament is not likely to deal with it again under any circumstances whatever." That seemed to him to be a condemnation carried over three years, while an absolute verdict might be pronounced in one. He would deprecate very much the Bill passing through Committee and the House in such a form as to be the cause of future agitation in Ireland. He had no special desire that this should be a test question at the next General Election. He would rather say to his constituents—"I have done my best to make the measure a fair one all round. I have not been able to do so; but Parliament has passed the Bill, and, if the country is opposed to it, Parliament can repeal it." Towards that result the ordinary machinery would be set in motion without delay; and this would be better than allowing three years to elapse during which a fresh agitation might be organized. He was very sorry to differ from hon. Gentlemen with whom he generally acted; but he would be no party to any compromise whatever on this measure. He did not intend to offer any unfair opposition to the Bill—he did not think he had done so to any measure which had ever come before the House. He believed an examination of what had taken place in relation to the Bill would clearly show that the conduct of those who were opposed to it could not be termed obstructive. At the same time, when the measure was brought on at 1 or 2 o'clock in the morning, it was surely not unreasonable or unfair to urge and claim that it should be postponed to another day. The Bill ought to be fairly dealt with; and, in his opinion, it ought either to be crushed out altogether, or passed in a chronic and not in a tentative form. A trial of the measure for three, four, or five years, would be, in the minds of many of those who would be affected by it, a sort of penal servitude for that period.

Mr. BRUEN said, he had been exceedingly glad to hear the conciliatory speech of the hon. Member for Roscommon. In that speech the hon. Gentleman had stated his own willingness, and the willingness of the promoters of the Bill, to accept the principle of the clause which was now under discussion if, on the other hand, those who objected to the measure were willing to abandon their opposition and allow the Bill to go through, with the modifications which had been already introduced into it. He had always supported the Bill as a tentative measure. On the one hand, he believed that a great deal of good would result from its being brought into action; on the other hand, he was afraid that considerable discontent might be occasioned in some places in consequence of its operation. He also believed that a great number of those who had given their signatures to Petitions in favour of the Bill had done so without completely realizing the effect which its passing would have upon the social habits of the people of Ireland. Entertaining these opinions, he had endeavoured to ascertain the truth of them, as far as he could, by conversations with workmen and with others who would be affected by the operation of the measure; and he thought it would be only fair that those classes who might consider themselves prejudicially affected by it should, if it were now passed, have an opportunity of stating any objections they might have to it before it was re-enacted and continued. Reference had been made to the prospect of a General Election. He did not wish that the termination of the tentative operation of the Bill should take place until a certain time after the General Election. As his hon. and learned Friend the Member for Marylebone (Mr. Forsyth) had pointed out, it would be necessary to conduct an inquiry on the subject, to take evidence, and to find out what the result of the measure had really been. But, if the Bill was to terminate in three years, there would be no time for a new Parliament to conduct those proceedings. If, however, a period of five years were fixed upon for the tentative operation of the Act, there would be ample time for the conduct of such an inquiry as might be thought to be necessary. Not only so, but in five years the irritation which the measure might at first produce would have had time to cool down, and the subject could then be approached with greater calmness and with a larger amount of experience.

DR. BRADY said, he regarded the compromise which the hon. Member for Roscommon had expressed his willingness to accept as not only most creditable to the hon. Gentleman himself, but as most creditable to those who were acting with him; and he hoped that those who had hitherto so frequently and so bitterly opposed the Bill would now see it to be their interest and their duty to close with that compromise, and to act upon it. For his own part, he was quite satisfied that the great body of the people of Ireland were in favour of the measure. They had come to the conclusion that a measure such as that now before the Committee would conduce to the social and moral improvement of the community. He represented a county —Leitrim—in which there were 95,000 inhabitants, and which occupied an important position in the country. From the time that the Bill now under discussion came before the House, he had never heard from that county a wish expressed against its principle. He had never received a Petition against it, but, on the contrary, he had received several Petitions in favour of it. There was represented in his constituency a large body of the rural population of Ireland —people who would not be supposed to come under the influence of any agitation, and who, in reality, had not come under any such influence as regarded, or from, the promoters of the Bill. But he knew that in the county of Leitrim the clergy of all denominations were in favour of the measure. He had received letters from clergymen of the Church of England, from Presbyterian clergymen, and from Roman Catholic clergymen, all impressing upon him the necessity of supporting the Bill. Under those circumstances, he had great pleasure in seeing that there was even a prospect of this matter being brought to a happy conclusion; and he only hoped that the opponents of the Bill would be wise in their generation, and accept the compromise which had been suggested by his hon. Friend the Member for Roscommon.

MR. STACPOOLE said, he regarded the period of three years as quite sufficient. It did not appear to him that the promoters of the Bill were making any compromise; and he hoped that the Amendment which had been brought forward would be insisted upon.

Mr. ALFRED MARTEN said, it appeared to him that there ought to be such a limitation of time fixed upon in regard to the operation of the measure as would allow both sides an opportunity of arriving at a calm and unprejudiced judgment as to the effect of the Bill. There could be no disguising the fact that the measure had excited a strong feeling of opposition. On the other hand, it was equally clear that, in other quarters, there was a strong feeling in favour of the Bill. He was a Member of the Select Committee which sat upon this subject; and evidence of considerable importance was laid before that Committee on both sides. He might mention one fact which occurred to him at the moment. It was brought out in the course of the proceedings before that Committee, that in some cases the Bishops had imposed the closing of public-houses on Sunday within their dioceses; but, in one instance, it appeared that a river separated one diocese in which no drink could be obtained from another diocese where drink could be had, and the people were in the habit on Sunday of crossing the river into that portion of the locality where the public-houses were open for the purpose of obtaining refreshment. That showed, at all events, that a considerable amount of feeling existed on the subject. He would suggest that, in all cases of this description, they should be guided, more or less, by precedent. He had been looking into the register of temporary laws, and he had found a great many such laws on almost every subject—amongst them one which he thought might afford a useful precedent. It might be within the recollection of the Committee that six or seven years ago, a great effort was made to enforce the better observance of the Act of Charles II. in regard to the Lord's Day, and a number of prosecutions were instituted by private persons, in order, if possible, to obtain that result. But what happened? Those prosecutions caused so much annoyance to various people—although they were instituted, no doubt, with the best of motives, the better observance of the Sabbath—that the Sunday Observance Prosecutions Act had to be passed. That Act, which imposed the restraint that no prosecution should be instituted without the consent of the chief of police of the district, was treated as an experimental measure. It was only allowed to remain in operation for one year at a time, and had to be dealt with annually. That was a good illustration of what he meant; and what was sauce for the goose was sauce for the gander. That was a restriction of the prosecutions by those who were anxious to see certain laws enacted in regard to Sundays, and he saw no reason why the precedent should not be followed, and a fair time—say three years—be fixed for the trial of the experiment of Sunday closing. He commended the suggestion to the favourable consideration of the hon. Member for Roscommon, who had conducted a long struggle in reference to this Bill with admirable temper and fairness.

Sir JOSEPH M'KENNA said, if he were to refer to any legislation as justifying the opposition to this clause, it would be that very Act for suspension of prosecutions, prosecutions which passed some time ago, and had been renewed year by year from the time of its passing. If that was a good law to enact, its operation ought to have been made perpetual. To pass an Act which had to be renewed annually, or at the end of any stated period, was to offer a premium to agitation *pro* and *con*. If the law was passed, the traders in intoxicating drinks in the excepted towns would acquire a vested interest in Sunday trading, which might involve great difficulty at some future time between themselves and Parliament.

Mr. J. LOWTHER said, the Committee had allowed itself to drift into a discussion which might go on indefinitely with no real and practical result. The question was not whether the operation of the Act should be restricted to a particular number of years; but whether, broadly, the Committee would sanction any restriction at all—in other words, they were discussing the second reading of a clause, and not any detailed Amendments that might be proposed on it. As far as he was personally concerned, he thought a very strong—indeed, an almost unanswerable—case had been made out in support of the proposal to limit the duration of the Act. If ever there was a Bill to which such a principle should apply, he thought it was the present one. When it was first introduced it was said over and over again—and, as he believed, most sincerely said, and at that time really believed to be the case by its promoters and advocates—that the Bill was the result of an almost unanimous wish expressed by the Irish people; but, since then, it had been shown that there was a considerable amount of dissent from the Bill, and that a good many—several, at least—of the hon. Members who originally supported the measure were now among its most active opponents. He, therefore, hoped the Committee would assent to the second reading of the clause, and that afterwards a reasonable limit should be put to the duration of the Bill.

MR. BENETT-STANFORD thought it would be wise, after the clause had been read a second time, to fix the limit of duration at three years, instead of five. If the hon. Member for Roscommon would accept such a compromise, he would, if he did not gain the support, at any rate stop the opposition of several hon. Members, who had up to the present retarded the progress of the Bill.

MR. KIRK said, he believed that if the Bill were enacted for three years, there would be a re-action—a revolution, in fact—which would at the end of that time overturn the Act altogether. Its supporters were anxious to push on the Bill as quickly as possible in order to get it made into law in the course of the present Session, because they knew that there was growing up against it a very strong feeling of opposition. The hon. and learned Member for Cork—the largest county in Ireland—had said, and there could be no doubt as to the accuracy of his statement, that such a feeling was growing up among his constituents. He (Mr. Kirk) represented the smallest county in the country, and he could vouch for it that his constituents were largely animated by the same feeling. During the whole of the time he had represented the county, and he included the period of his canvass, he had only once been asked to vote for the Bill. The request was made by a clergyman, who had also been a water-drinker from his boyhood. In answer to the request, he set forth his views on the subject in a letter which he addressed to the rev. gentleman. On receiving the communication, the clergyman consulted with several of his parishioners, and when he saw clearly what might be the result of passing this Bill, he wrote a reply to his (Mr. Kirk's) letter, in which he said he would never again ask him to support the Bill. His own reasons for not supporting the Bill were, and always had been, that he believed very disastrous results would follow upon its adoption; that the improvement in the morals of the people the promoters expected to flow from it would not follow, and that a large and important section of the Irish people were opposed to it. If the promoters of the Bill believed that its results would be advantageous, and that the majority of the Irish people were in favonr of it, there could be no reasonable objection on their part to its duration being limited; because, if their views were sound, it would be certainly re-enacted at the end of any period to which it might be limited. He admitted that he was in a minority, but he believed that if a *plébiscite* of the people of Ireland were taken, it would be found that a very considerable change of opinion had come about since the Bill was first introduced to Parliament. As far as the Petitions were concerned, it must be perfectly well known that those in favour of the Bill had been carefully got up by agents employed for the purpose, while no such means had been resorted to by those who were opposed to the measure. If agents had been employed to solicit signatures to Petitions against Sunday closing, the result, as far as that branch of the controversy was concerned, would have been very different. The promoters of the Bill ought to abandon the position they had taken up; because, if the mass of the people of Ireland were, as they were said to be, in its favour, the majority of Irish Members would be much larger than it was known to be at present.

MR. HERBERT said, he had all through supported the Bill, and was one of those hon. Members who sat up all night in order to assist its progress. He should still support the measure, but he appealed to the hon. Member for Roscommon (the O'Conor Don) to accept the proposal to limit the duration of the Bill to three years. He represented a large constituency, and though among them he had heard nothing except praise of the Bill, he could not shut his eyes to the fact that there had recently been a strong re-action against it, and he therefore thought it would be well to give it a trial for a limited period, in order that the opinion of the Irish people might be further tested concerning it. He deprecated any course that would have the effect of making the Bill a strictly Party question, and hoped some means would be adopted to settle the matter amicably in the course of the present Session.

Sir WALTER B. BARTTELOT said, any hon. Member who had listened to the debates on this Bill must have come to the conclusion that it was high time the question was settled in some way. An opportunity for such settlement was offered to the hon. Member for Roscommon, who had charge of the Bill, by the new clause which the hon. Member for Kinsale (Mr. Collins) proposed to insert in the Bill. He thought three years was quite long enough for the trial of a law which only affected part of the population of a country, and, in the present case, would mainly embrace the population in the rural districts, the Amendment adopted in the 1st clause having excluded the five largest towns in Ireland. If the Act were found to work satisfactorily, there would be no difficulty at the end of the three years in extending it to the whole country; if it were found to work unsatisfactorily, there could be no reason for keeping a part of the population of Ireland for longer than three years under the operation of a bad law.

Mr. MELDON said, he differed from the hon. and gallant Baronet who had just spoken, and who seemed to think that the proposal of the hon. Member for Kinsale opened up a way to the settlement of the much-vexed question which formed the subject-matter of the Bill. The question of Sunday closing of public-houses in Ireland was not now on its trial for the first time. It had been tried in several very extensive districts, and, wherever tried, had proved successful in attaining the objects which it was intended to produce. It had been tried in the Diocese of Cashel, where the residents were people just as much disinclined to submit to coercion as any in Ireland, and had been found to be perfectly successful. His main objection to the limitation proposed was that it would create an agitation, which, if it went on until the next General Election, would produce most mischievous results. It might be to the interest of the present Government to support an experimental measure, as they could not prevent a Bill of some kind passing, because they might thereby conciliate, to some extent, the publican interest in Ireland; but he, for one, could not consent to any limitation unless, by consenting to it, he could be assured that all other opposition to the Bill would be withdrawn.

Mr. ONSLOW said, one of the main reasons which had actuated the opponents of the measure was, that they did not wish to see the strong arm of the law come down upon the middle and lower classes and allow the upper classes to escape scot free by means of their clubs, and the ability to keep as much liquor as they might want in their own houses. He thought, therefore, that it would be only fair to give the Act an experimental existence, with a view to re-enacting it, if successful, or allowing it to lapse, if it were found not to be in accord with the wishes of the majority of the Irish people.

Mr. O'SULLIVAN said, he had listened with great attention to all that had been said in opposition to the proposal of the hon. Member for Kinsale (Mr. Collins), and could not find any tangible ground for it. The hon. Member for Roscommon (the O'Conor Don) had said that the promoters of the Bill had already made large concessions, but he should like to know what they were? They had certainly assented to the proposal of the Government to except five large towns from the operation of the Bill, but that could not be called a concession, because it was only done in face of the fact that a large section of the Irish people were against them, and that unless the exception was admitted they dare not face the country. That it was not a concession was shown by a statement in *The Temperance Banner*, the organ of the supporters of the Bill, to the effect that—

> "The Sunday Closing Association do not approve the exception policy. We have consented to it simply at the point of the bayonet."

As far as the probable effect of supporting the Bill was concerned, he was afraid that several hon. Members, whom he should be sorry to miss from the House, would lose their seats from the fact of their having disregarded the views of their constituents and supported the Bill. He could not accept the proposal of the hon. Member for Roscommon to adopt the principle of the proposal made by the hon. Member for Kinsale on condition of all other opposition to the Bill being withdrawn. He, for one, should not withdraw a single Amendment which he had placed upon the Paper, and some of which, if discussed fully and fairly, would occupy two or three days at least. For instance, the Amendment in reference to the compensation clause could certainly not be disposed of in less than a day, for he did not think Parliament would destroy the business of anybody without giving them the means of getting compensation. ["Question!"] He would say no more on this subject than that the Temperance Party were so intolerant that they would, if they could, prevent any hon. Member from expressing the least opinion contrary to their views. The hon. and learned Member for Kildare (Mr. Meldon) had stated that the Sunday closing system wherever tried had been successful. What were the facts? In Tipperary, which had 16,000 inhabitants, the public-houses had been closed voluntarily for some years, and in the year 1876 the number of persons convicted of drunkenness there was 700. In the town of Newcastle West, where the population was 17,000 in number, the convictions for drunkenness in the same period were only 390. The explanation was that the public-houses being closed the people went on Sundays to shebeens, where they got bad silent Scotch spirit which sent them sick and nearly mad, and, in consequence, they had to go to the licensed houses on Monday mornings in order to get some good stuff to put them right. The result was that they got drunk, were taken before the magistrates and convicted. The hon. and learned Member for Louth (Mr. Sullivan) had stated that not more than 11 Irish Members of the House—he called them the Eleven of all Ireland —had ever voted for this Bill. This was an inaccurate statement, for it must be known to many hon. Members that as many as 22 Members representing Irish constituencies had voted in favour of the Bill. [Mr. Sullivan: No, no!] The hon. and learned Gentleman might say "no," but he said yes, and the Records of the House would prove that his statement was accurate. Well, what was the overwhelming majority of Irish Members that might have been expected in all the divisions that had taken place in favour of the Bill? Doubtless, there were two or three and twenty who were strongly in favour of the measure; but, taking all the divisions, there were 50 Irish Members who had voted for the Amendments, and yet the Committee was told that there was an overwhelming majority in favour of the Bill.

The CHAIRMAN pointed out that the hon. Member was wandering from the subject dealt with by the Amendment under discussion.

Mr. O'SULLIVAN said, he was not introducing any new argument; he was merely following up an argument that had been already introduced; but if it were displeasing to the Committee he would not pursue it. He was anxious that the principle of the Amendment should be tried, because no doubt there would be a General Election before the period proposed by it would have expired, and if the measure were in force for three years, the question would be contested at the next Election. The Committee had been told that the Irish people were in favour of the Bill; he asserted that that House had never been more imposed upon than by being induced to believe that statement, and he could not bring forward a stronger fact in its disproof than that it had been shown that throughout Ireland the promoters could not get people to advocate the measure, and had, in consequence, been compelled to send over two Scotchmen as its champions. If the Bill were once passed there was at least one thing it would do, and that was that it would get rid of the Scotch and North of Ireland influence, which had been resorted to in furtherance of the measure. He had heard no arguments on the part of those who opposed this Amendment that should convince the Committee it ought not to be passed.

The O'CONOR DON said, one thing was very evident to the Committee—namely, that those of his hon. Friends who opposed the Bill had not imbibed much of the "silent spirit" they had just heard of. They had been told that the promoters of the measure would not allow its opponents to speak at all, and yet the Committee had been occupied from almost ever since the House had met at half-past 12 o'clock until that moment — half-past 4 o'clock — entirely on the two Amendments that had been proposed. He should like to say a few words in reply to what had fallen from his hon. Friend who had just spoken (Mr. O'Sullivan). The hon. Gentleman employed a very curious mode of reckoning; he included in the number of the opponents of the Bill every Irish Member who happened to have voted against any clause in it on all the divisions put together; but, in the case of those who supported it, he only took the greatest number voting on any one particular occasion. He would, however, challenge the hon. Member to show any single occasion on which a score of Irish Members had voted against the view taken by the promoters of the measure. But he wished to come to the question really before the Committee. He believed those who were present at the time he had replied to the hon. Member for Cork (Mr. Shaw) would bear him out in saying that he had met the proposal made to him in the most candid and straightforward way. He had expressed his readiness, on the understanding that the general opposition to the principle of the Bill was withdrawn, to accept the principle of the Amendment. He did not wish hon. Members to give any pledge to withdraw all opposition to parts of the Bill which they objected to; all he said was, that he would rather trust to the good feeling and sense of the Committee; and that hon. Gentlemen opposing the Bill should feel honourably bound, without entering into pledges, not to re-discuss the principle of the measure on every clause. That was all he could reasonably expect, and he had long since expressed his readiness to allow the clause to be read a second time. With regard to the particular figure to be inserted in the clause, whether it should be three, four, or five years, that was a matter which could be determined after the principle of the clause was settled. They might possibly then be enabled to arrive at a general understanding that would meet the views of hon. Members on both sides of the House. He hoped, therefore, the Committee would at once allow the clause to be read a second time, after which they could settle the duration of the limitation it affirmed.

Sir JOSEPH M'KENNA did not think the proposition made by the hon. Member for Roscommon (the O'Conor Don) quite fair. The true principle of the clause under discussion was one of time, and involved the exact time to be fixed. If the clause were read a second time without the time being fixed, it would leave it open to the Committee to introduce five or seven years, or even a longer period; and he regarded this as eminently unsatisfactory, for it would only entail a division on the clause and its probable rejection altogether. He had not been in favour of the clause at all. He had thought that the Bill had better stand or fall without a limitation; but so many of his hon. Friends on both sides of the House appeared to be in favour of accepting the principle of a limitation for three years, that he would not any longer oppose the clause if it were to be understood that three years should be the limit. But if it were left open to the Committee to alter that limit, he should insist on a division being taken, and would reserve to himself the right to take any course he might think best in the matter.

Mr. P. J. SMYTH thought it well that there should be no misunderstanding on the point, and would therefore ask the hon. Member for Roscommon what he meant by "withdrawing the opposition to the Bill?" Did he mean that the Amendments now on the Paper should be withdrawn?

The O'CONOR DON said, he did not mean that. He did not ask any hon. Member who had an Amendment which he thought ought to pass to withdraw it; all he meant was, that an understanding should be come to by which the length of time that was being consumed in these discussions should be shortened. The fact was, that they had had the principle of the Bill discussed over and over again by almost every hon. Member who had spoken. The debates had not been confined to the particular Amendment before the Committee, but had been directed to what was, in reality, the principle of the Bill. All he asked was that hon. Members should not discuss the principle of the measure, but that they would accept that as having been settled, and only deal with the Amendments as they were moved.

MR. P. J. SMYTH would like to ask whether the hon. Member for Roscommon would accept the limitation of three years? He (Mr. P. J. Smyth) regarded this as a fair and reasonable proposal. It came from an hon. Gentleman of very high authority, and he thought the hon. Member for Roscommon would act wisely in accepting it. The hon. Gentleman ought to regard the proposal as one that would facilitate the passage of the Bill, and he (Mr. P. J. Smyth) would add, that at no time in that House had a Private Bill received such facilities as this had received. For his own part, he could hardly be accused of having given a factious opposition to the Bill; and he would, therefore, say to the hon. Member for Roscommon, he hoped that he would accept the Amendment and its limitation of three years.

MR. HERBERT hoped the hon. Member for Roscommon would inform the Committee whether he would accept the term of limitation mentioned in the clause?

SIR PATRICK O'BRIEN could not understand the course taken by certain hon. Members on that—the Opposition—side of the House, who evidently had not given the Bill much consideration, but who, probably for political reasons, thought that by grandiloquently appearing as Members of the Irish majority in the matter of this Bill they would be furthering other ends. ["No, no!"] An hon. Member below him said "No." He wished that hon. Member would get up and state how much he knew about the Bill, and how little he knew about the opinion of Ireland upon the subject. The reason he (Sir Patrick O'Brien) had risen was to reply to the hon. Member for Roscommon, who had said that the Committee had been continually discussing the principle of the Bill. For his own part, he (Sir Patrick O'Brien) was free from this imputation, as he had not spoken above three times on the measure during the six years it had been before the House. He should like to ask the hon. Member for Roscommon, when he said that they discussed the principle of the Bill on each occasion that it was brought forward, how it could possibly be otherwise? At one time the Bill was intended to apply to the whole of Ireland, and to make people sober in the towns where drunkenness was said most to prevail. That Bill having been withdrawn, they had another on a new principle, and then they had a third on some other principle; and yet the hon. Member for Roscommon got up and said it was a shame to go on discussing the principle of the Bill, quite overlooking the fact that at every new Sitting on the subject the Bill exhibited a new principle. What, he asked, was the principle of the Bill now? Was it that its application was to be limited to a few counties in Ireland where there was no drunkenness? If this were so, he could well understand hon. Members opposing the measure, and fanatical people outside the House crying "Question!" for he knew that there were no fanatics in the House, and, of course, what he was saying could not apply to hon. Members. What, he asked, was the nature of the proposition of the hon. Member for Kinsale (Mr. Collins), and what was the answer to it? It was generally admitted that it was for the public to say what was their opinion about a great social change of this sort, and the Amendment asked that the Bill should only be enacted for a period of three years, when a new Parliament might pronounce upon its working; and the hon. Member for Roscommon told them to try this great panacea for the remedy of Irish grievances, before which every other question was as nothing, for an indefinite time. However, if it must be so, let them pass the Bill; they had had enough of it; they had discussed it *ad nauseam*, and now that it only referred to a few places in Ireland, and the drunken portion of the population had been excluded, let them carry the measure. The hon. Member for Kinsale said, let them carry the measure over the next Dissolution, and he suggested three years. And, putting aside all tall talk, of which they had already had enough on both sides of the House, and looking at the matter from a common-sense point of view, he asked, was there anyone, apart from Sabbatarians and temperance preachers who would say that it was not a fair proposal to allow the country to settle the question as to whether the measure had proved effectual, and a renewal was desirable? He hoped the Committee would support the hon. Member for Kinsale in his Amendment.

MR. O'SULLIVAN said, the words of the Amendment were that the Act should continue in force until the 31st of

December, 1881; when, unless Parliament should otherwise determine, the existing laws should again come into operation; and he wished to know whether the hon. Member for Roscommon would accept this limitation? It was useless to beat about the bush. The hon. Member for Roscommon talked of concession; but what concession had he made to any one Amendment? The fact was, that the opponents of the Bill had withdrawn six Amendments in order to conciliate the House and allow it to make progress with the measure at an early hour in the morning, and it was too bad for the hon. Member for Roscommon to say they had made no concessions. If they could not obtain a definite understanding from the hon. Gentleman on this question, it would be necessary to divide the Committee.

Mr. J. LOWTHER understood that the hon. Member for Roscommon had given up any idea of entering into a bargain on this subject, and that the Committee was at that moment considering the question as to whether a limitation of a period not yet to be named should be adopted. Consequently, he thought that the questions which were being addressed to the hon. Member for Roscommon would be more appropriate after the clause had been read a second time.

Mr. RICHARD SMYTH felt bound to say that he could not understand why his Friends below the Gangway persisted in requiring from the hon. Member for Roscommon a pledge that he would accept a limitation of three years. The hon. Member had conceded the second reading of the clause containing the principle of limitation to three years, and if the clause were read a second time, it would then have to be decided whether the period of three years should be struck out and another term inserted involving a longer period. The advantage of the clause as it stood was all on the side of those who contended for a three years' limit.

Mr. MURPHY need scarcely say that he had taken no part in this debate—he alluded to the present occasion—and if the Committee would bear with him, he would only keep them from a division for a very few moments. When the House had voted for the second reading of the Bill, it had done so under the impression that a vast majority of the Irish people were in favour of it. ["Question!"] If he might be permitted to say so, it was a question of taste as to whether hon. Members should thus interrupt one who had hitherto abstained from saying one word during the debate. He understood the position to be this—the hon. Member for Roscommon (the O'Conor Don) suggested that the new clause proposed by the hon. Member for Kinsale (Mr. Collins) should be passed, and reserved to himself the liberty of proposing an Amendment extending the time from three to five years. [An hon. Member: Seven.] An hon. Member said seven years; perhaps some other supporter of the Bill would say 14; but he thought there should be some finality. He need scarcely say that he had always been opposed to the passing of a restrictive and compulsory measure such as this. He did not want to interfere with voluntary action; but he objected to a measure which he knew was not in accord with the opinions of the classes who would be affected by it. However, he was never opposed to the proper conduct of Business, or to anything that was really practical; and, although he could not bind himself not to oppose the measure, if on another occasion it should be the pleasure of the House to say it should not pass, he must certainly subscribe to the idea of the hon. Member for Roscommon that the new clause should be allowed to be read as it then was, and that they should afterwards discuss whether the period mentioned in it should be further extended. For his own part, he thought that three years would afford ample time for the country to judge of the necessity of continuing the measure; but this was a matter to be discussed after the principle of imposing a limitation had been settled.

Motion *agreed to.*

Clause read a second time.

Mr. SULLIVAN moved, in line 2, to leave out the words "eighty-one," and insert the words "eighty-five."

Sir JOSEPH M'KENNA moved that the Chairman report Progress, and ask leave to sit again.

Mr. SULLIVAN thought his hon. Friend (Sir Joseph M'Kenna) a little precipitate, inasmuch as he (Mr. Sullivan), had not resumed his seat. Besides, while he had spoken but once that day, his hon. Friend had spoken 15 times. He thought the Committee had wisely decided that the Bill should be a terminable Bill, and the only question remaining on this clause was as between three years and seven years. He thought that anyone looking at this question practically would see that three years would be too short a term; while, on the other hand, there were several precedents for seven years. If he were to launch forth on the general question, he, too, could speak almost interminably upon it; but he thought it better to move his Amendment to the clause as briefly as possible.

Amendment proposed, in line 2, to leave out the words "eighty-one," and insert the words "eighty-five,"—(*Mr. Sullivan,*)—instead thereof.

Sir JOSEPH M'KENNA, in rising to move that the Chairman report Progress and ask leave to sit again, said, it was only fair to the Committee that he should explain the reason why he did so. He had no desire that the Business of the Committee should be in the least degree delayed, and although his hon. and learned Friend the Member for Louth (Mr. Sullivan), had some warranty for saying that he (Sir Joseph M'Kenna) had spoken on several occasions during that Sitting, he had taken up no longer time than was requisite in addressing himself to the subjects under discussion. In the present instance, he thought the Committee had not had time to consider the principle of the clause. He had not been in favour of the second reading of the clause just passed, and he did not think that the limit of three years was a satisfactory one. In his opinion, next Session, or the Session afterwards, if the measure did not turn out to be a success, it ought to be repealed. His hon. Friends who usually acted with him had thought it best to accept a limitation, and the only period before them then was that contained in the clause; but the whole principle of that clause would be utterly set aside and subverted if the Bill were to be extended over the approaching Dissolution of Parliament, and, probably, over even the next subsequent Dissolution. He accepted the three years' principle unwillingly, and, if it were not assented to, he should persist in his Motion for reporting Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Joseph M'Kenna.*)

Mr. J. LOWTHER said, he hoped the hon. Gentleman would not persevere with his Motion, because he considered that the present was by far the most convenient time of any that was likely to be at their disposal for settling this question. There had been considerable discussion on the point already, and he thought the Committee was in a position to decide it. He must add that he was rather surprised to hear the promoters of the Bill making the suggestion which had been put forward, that the limitation of the measure should be seven years.

Mr. SULLIVAN wished to say that he was not a promoter of the Bill, and that he had made his suggestion emphatically in disagreement with the too conciliatory views of his hon. Friends behind him.

Mr. J. LOWTHER said, if the hon. and learned Member for Louth (Mr. Sullivan) had not been authorized by the promoters of the Bill, he presumed the hon. and learned Gentleman would not expect the Committee to support his Motion.

Sir JOSEPH M'KENNA offered, if the principle of three years were accepted, to withdraw his Motion.

The O'CONOR DON thought the opponents of the Bill were pressing their views very hardly. They seemed to think that the promoters were to have no opinion at all as to the length of time the measure should be in operation. He had accepted the principle of the clause, because he thought that by so doing he should be met in a conciliatory spirit by his opponents. At the same time, he had distinctly stated that he thought three years too short a term; and what he would now venture to suggest was, that the limit should be five years. He believed that this would meet a great many of the objections on both sides. If the term were three years only, the agitation for the renewal or discontinuance of the measure would commence almost immediately; but if it were five years, the agitation would not begin until a short time before the expiration of the term. His desire was that the agitation should be put an end to, and he also wished to see the measure fairly tried. Five years would enable them to have a fair trial for at least two years of the existence of the measure, as no one would think it of any use to agitate during so long a period as five years, inasmuch as their energies would thereby be wasted; and, if during the two years of quiet they might thus expect to have, the feeling of the country were found to be against the measure, he had no doubt there would be no effort to re-enact it; while, on the other hand, if the feeling were in its favour, any agitation against it would be unsuccessful. Therefore, while having no fear as to the result of the experiment, he respectfully asked the Committee to accept his suggestion; and he would also ask the hon. and learned Member for Louth (Mr. Sullivan), who, although a supporter of the measure, was not one of its promoters, whose name was not on the back of the Bill, and who had no responsibility whatever in making any proposal on the subject, to withdraw his Amendment, in order that the figures "1883" might be substituted for "1881."

Sir JOSEPH M'KENNA said, he could not withdraw his Motion on the understanding suggested by the hon. Member for Roscommon.

Mr. MURPHY said, it was his intention to make some observations on the Amendment of the hon. and learned Member for Louth provided it was fairly before the Committee. Another Motion being now before the Committee, he must postpone those remarks.

Mr. M'CARTHY DOWNING assured the Committee that though he had always opposed the Bill, it was not his desire improperly to throw obstacles in the way of its progress. He wished to make some observations on the question whether the Bill should be passed for three or for five years; and, in his view, it would not be fair to insist on reporting Progress at that hour.

Mr. KING-HARMAN pressed the hon Member for Youghal (Sir Joseph M'Kenna) to withdraw the Motion for reporting Progress. There was now a simple issue before the Committee—whether the Bill should be passed for three, five, or seven years.

Sir JOSEPH M'KENNA asked leave to withdraw his Motion.

Motion, by leave, *withdrawn.*

The O'Conor Don

Mr. SULLIVAN asked the permission of the Committee to withdraw his Amendment.

The CHAIRMAN: Is it your pleasure that the Amendment be withdrawn? [*Cries of* "No!"]

Major O'GORMAN said, two interesting discoveries had been made within the last few minutes. The Committee had been told by the hon. Member for Roscommon (the O'Conor Don) that there was to be agitation in Ireland. He had understood from the hon. Member, on every occasion that the Bill had been hitherto under discussion, that the Irish people were all in favour of it. It appeared now that there would be agitation among the Irish people. He (Major O'Gorman) thought so himself; but he was glad to hear it from that quarter. The other discovery was, that the hon. and learned Member for Louth (Mr. Sullivan) was not a promoter of the Bill. He (Major O'Gorman) understood the hon. and learned Member to have said at some public meeting in Ireland, or to have written in some public paper, that he hoped he would never see Heaven until this Bill was passed.

Mr. J. LOWTHER asked the Committee to confine their attention, at present, to a somewhat lower level than that to which the hon. and gallant Member (Major O'Gorman) had called their attention. He would suggest that the withdrawal of the Amendment of the hon. and learned Member for Louth was unnecessary at present. The Question to be decided at present was, whether the date 1881 should stand part of the clause. Whether that date should be replaced by 1885 would be a question for after consideration.

Sir PATRICK O'BRIEN asked, whether the Amendment of the hon. and learned Member for Louth was not to omit the date from the clause, in order to insert one which would be equivalent to prolonging the operation of the Bill for seven years, and whether this was not the Question that would be put?

The CHAIRMAN: The Amendment is to leave out "eighty-one," in order to insert "eighty-five." That amounts to two separate Questions. It is possible for the Committee to affirm the one without affirming the other. The first Question is that the words "eighty-one" stand part of the clause.

THE O'CONOR DON asked the Committee to vote with him for the omission of "eighty-one," not with the view of inserting the words proposed by the hon. and learned Member for Louth, but with the view of inserting words which would limit the operation of the Bill to five years.

SIR PATRICK O'BRIEN wished to know whether, in the event of the hon. and learned Member for Louth not carrying his Amendment, it would be competent for the hon. Member for Roscommon to move that a different date be inserted.

THE CHAIRMAN: If the Committee decide to omit the words "eighty-one," it will be open to the Committee to insert "eighty-five," as proposed by the hon. and learned Member for Louth, or "eighty-four," or "eighty-three," or "eighty-two."

Question put, "That the words 'eighty-one' stand part of the Clause."

The Committee *divided*:—Ayes 143; Noes 176: Majority 33.—(Div. List, No. 156.)

THE CHAIRMAN: The Question now is that the words "eighty-five" be here inserted.

THE O'CONOR DON moved that the words proposed to be inserted should be "eighty-three."

THE CHAIRMAN: The Amendment of the hon. and learned Member for Louth is before the Committee, and must either be withdrawn or negatived before other words can be proposed.

MR. SULLIVAN begged to withdraw his Amendment.

THE CHAIRMAN said, if the Amendment were withdrawn by permission of the Committee, it would be open to any other Member to move the insertion of other words; but, by the usual courtesy of the House, the priority of moving an Amendment would be given to the promoter of the Bill.

Amendment, by leave, *withdrawn*.

THE O'CONOR DON begged leave to move that the words "eighty-three" be inserted.

MR. M'CARTHY DOWNING complained that the front Opposition Bench had not assisted the minority to gain any concession. He thought they were much mistaken if they expected to gain much credit in Ireland for the course they had adopted; and he trusted that when that Bench did yield something to a large and influential minority, it would be remembered that they had, from beginning to end, supported a Bill which, in his opinion, was utterly opposed to the traditions of the Liberal Party. He hoped the Committee would now consider that if not three years, at least, some shorter period than five years, should be agreed upon. He would suggest that four years should be the period.

MR. STACPOOLE said, a fair compromise having been offered but not accepted, negotiation ought now to be at an end. He moved that the Chairman report Progress, and ask leave to sit again.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." —(*Mr. Stacpoole.*)

MR. J. LOWTHER hoped the proposal would not be persisted in. There had been great complaints that the Bill was brought in for consideration at late hours. He himself joined in these complaints, and it would be wrong now to acquiesce in the proposition to report Progress. If any hon. Member objected to the term of years proposed by the hon. Member for Roscommon, he might move another term that would commend itself to the Committee as the more reasonable course.

MR. M'CARTHY DOWNING intended to move that it should be 1882.

THE CHAIRMAN: It is not competent to move that until after the Amendment of the hon. Member for Roscommon has been disposed of.

SIR JOSEPH M'KENNA, remarking that he might address himself to the general Question as there was a Motion to report Progress before the Committee, urged his hon. Friend (the O'Conor Don) to make a small concession by adopting the date suggested by the hon. Member for the County of Cork. Otherwise, it would be impossible, in the time left for debate, to make further progress that night.

SIR PATRICK O'BRIEN thought that if the Amendment of the hon. Member for Roscommon were carried, it would not be competent for the hon. Member for County Cork to move the insertion of 1882. He would take this opportunity of expressing his concurrence with the hon. Member for County Cork in the observations he had made. As one who had been a strong supporter of Liberal opinion in that House for over 25 years, he must express surprise at the manner in which, *en bloc,* the front Opposition Bench had gone against the expressed opinion of many men in the House who, in times of difficulty, had supported them.

Mr. CHARLES LEWIS said, it appeared to him unfortunate if, when the Committee were upon a basis of compromise, some middle term could not be agreed upon. He suggested the 1st August, 1882.

The CHAIRMAN pointed out that the words 31st December were already adopted, and it would be impossible to go back to alter them.

The O'CONOR DON thought the hon. Member for Londonderry had not fully comprehended the effect of his Amendment, which would be to make the period even shorter than was suggested by the hon. Member for County Cork. He presumed that he meant to suggest August, 1883. If a compromise of that kind would meet his hon. Friends, if they would consent that the Bill should continue in operation to the end of the Session which succeeded 1882, then he would not object to the compromise. That would be, say, four years, and a Session of Parliament.

Mr. M'CARTHY DOWNING was not decided whether it was open to him to move an Amendment on the Amendment of the hon. Member for Roscommon. If so, he would propose the end of December, 1882.

The CHAIRMAN directed that the hon. Member could say "No" to the Amendment, and if it were negatived, he could then propose his own words.

Sir JOSEPH M'KENNA said, that if the hon. Member for Roscommon insisted on dividing on this, they might as well go on with Progress. If the hon. Member would agree to insert December, 1882, the clause would be passed and the thing would be done. If not, it would be necessary to take the sense of the Committee.

Mr. J. LOWTHER said, it appeared to him that the proposals of the hon. Members for Youghal, Cork, and Londonderry were exactly the same; and as the hon. Member for Londonderry had been a staunch supporter of the Bill, perhaps his suggestion would carry some weight with the promoters of the Bill. The hon. Member for Roscommon had suggested an Amendment which could not in Order be put; but did he think it worth while to endanger the passing of the Bill after all that had taken place for the sake of a question involving a few months? He understood the clause would be allowed to pass if the suggestion of the hon. Member for Londonderry were taken.

Mr. O'SULLIVAN did not believe the hon. Member for Ennis (Mr. Stacpoole) would ask to report Progress. An element of dissension had been introduced by the hon. and learned Member for Louth (Mr. Sullivan). A great many Members thought the feeling of the Committee was in favour of the proposal of the hon. Member for Youghal (Sir Joseph M'Kenna); but when the front Opposition Bench was against them, it was impossible for them to carry their Amendment. The hon. Member for Ennis was quite right in introducing his Motion to report Progress. It was well known that the feeling of the Committee was in favour of the proposal of the hon. Member for Youghal, and yet no concession had been made; and, under these circumstances, the hon. Member for Ennis was quite right to proceed with his Motion.

The O'CONOR DON held that he had made concessions. He had conceded the principle that the Bill should be terminable, and then an hon. Member moved to report Progress. He wanted to show that he was desirous of meeting the proposal now made. He would accept the proposal of the hon. Member for Cork County. He begged to omit 1883, and he would accept 1882.

Mr. STACPOOLE thought the feeling of the Committee was decidedly in favour of three years. He would withdraw the Motion to report Progress.

Motion, by leave, *withdrawn.*

Mr. M'CARTHY DOWNING proposed that 1882 be substituted for 1883.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Major O'Gorman.*)

Mr. J. LOWTHER trusted the hon. and gallant Member would not persevere. What was now before the Committee was an entirely new proposal, and was accepted by both Parties.

MR. SHAW hoped his hon. and gallant Friend would withdraw his Motion. It would give them an additional year to finish off the front Opposition Bench.

MR. O'SULLIVAN would ask his hon. and gallant Friend to withdraw. He thought they had gone so far that they ought to be satisfied.

MAJOR O'GORMAN said, that the Bill was so vicious that he was determined by all the means in his power to exasperate the people of Ireland against it. He would prefer that the Bill should be deferred for an interminable period. [*Cries of* "Withdraw!"] He should not withdraw.

Question put, and *negatived.*

Amendment (*The O'Conor Don*) *agreed to.*

MR. O'SULLIVAN moved to report Progress.

Motion *agreed to.*

Committee report Progress; to sit again *To-morrow.*

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

Resolved, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1879, the sum of £1,000,000 be granted out of the Consolidated Fund of the United Kingdom.

Resolution to be reported *To-morrow;* Committee to sit again upon *Friday.*

MEDICAL ACT (1858) AMENDMENT (NO. 2) BILL.

On Motion of Mr. ARTHUR MILLS, Bill to amend "The Medical Act, 1858," *ordered* to be brought in by Mr. ARTHUR MILLS, Mr. CHILDERS, and Mr. GOLDNEY.

Bill *presented,* and read the first time. [Bill 196.]

House adjourned at five minutes before Six o'clock.

HOUSE OF COMMONS,

Thursday, 30th May, 1878.

MINUTES.]—SUPPLY—*considered in Committee*—CIVIL SERVICES AND REVENUE DEPARTMENTS, Further Vote on Account, £2,040,710—Class III.—LAW AND JUSTICE.

WAYS AND MEANS—*considered in Committee*—*Resolution* [May 29] *reported.*

PRIVATE BILL (*by Order*)—Drumcondra, Clonliffe, and Glasnevin Township, considered as amended.

PUBLIC BILLS—*Committee*—Tenant Right (Ireland) [31]—R.P.

Committee—Report—Consolidated Fund (No. 3)*; Exchequer Bonds (No. 2)* [186]; Conway Bridge (Composition of Debt)* [150]; Public Health (Ireland)* [1-199]; Elementary Education Provisional Order Confirmation (Portsmouth)* [179]; Railway Returns (Continuous Brakes)* [185]; Sale of Intoxicating Liquors on Sunday (Ireland) [44].

Third Reading—Local Government Provisional Orders (Artizans' and Labourers' Dwellings)* [162]; Monuments (Metropolis) (No. 2)* [140], and *passed.*

Withdrawn—Companies (Foreign Shareholders)* [118].

QUESTIONS.

PAROCHIAL CHARITIES OF THE CITY OF LONDON—THE COMMISSION.

QUESTION.

MR. FAWCETT asked the Secretary of State for the Home Department, When proposed Commission to inquire into the City Parochial Charities will be appointed; and, whether, if it is necessary that an Act of Parliament should be passed before such Commission is appointed, he can inform the House when the Bill will be introduced?

MR. ASSHETON CROSS, in reply, said, the matter had not been lost sight of. The necessary instructions had been given to the draftsman to prepare a Bill, which would be brought in as soon as possible.

LUNACY COMMISSION (SCOTLAND)—THE VACANCY.—QUESTION.

MR. M'LAREN asked the Lord Advocate, Whether Her Majesty's Government intend to avail themselves of the present vacancy in the office of one of the Lunacy Commissioners in Scotland to reduce the cost of that department by abolishing the office, or otherwise, as referred to in the Report of the Commission on Civil Departments (Scotland), 1870, following on the evidence to that effect of the Lord Justice Clerk and other parties?

THE LORD ADVOCATE: Sir, I believe it will be found absolutely necessary to fill up the present vacancy in one of the Chief Commissionerships. The Report referring to this question makes no recommendation upon this subject, but contains a statement made by the Lord Advocate Moncreiff to the effect that it was his intention to abolish the office; but I may remind the hon. Member that after that Report was given in, a vacancy occurred in one of these Commissionerships, and the then Home Secretary (Mr. Bruce), with the advice of the Lord Advocate (Mr. Young), resolved to fill up the vacancy, and did so. That was challenged, I believe, by the hon. Member, but the Home Secretary said it was absolutely necessary for the administration of the Lunacy Laws, and, I believe, the duties attendant on the administration of these laws are more onerous at the present day than they were in July 1870.

CHURCH OF SCOTLAND—OPENING OF THE GENERAL ASSEMBLY.

QUESTION.

Sir GEORGE CAMPBELL asked the Secretary of State for the Home Department, If his attention has been called to the accounts of the opening of the General Assembly of the Church of Scotland by the High Commissioners with a Royal salute and a body of horse, foot, and artillery; and if he will consider whether the time has not come when the practice might, with advantage, be discontinued?

Mr. ASSHETON CROSS: I think, Sir, that the usual forms and ceremonies accompanying the visit of the Lord High Commissioners, as representing Her Majesty, were observed on the occasion referred to, and I see no reason why they should be discontinued.

PUBLIC HEALTH—ADULTERATION OF BEER AT MAIDSTONE.—QUESTION.

Mr. WYKEHAM MARTIN asked the President of the Local Government Board, Whether there is any foundation for a report that several casks of beer brewed at Maidstone have been examined by the Excise authorities have been found to be adulterated and condemned and destroyed?

Mr. SCLATER-BOOTH: Sir, I have made all the inquiries in my power relative to the Question of the hon. Gentleman, but I cannot find that there is the slightest foundation for it.

PERSIA—VISIT OF THE SHAH.

QUESTION.

Lord EDMOND FITZMAURICE asked the Under Secretary of State for Foreign Affairs, Whether it is true that the Shah of Persia intends to visit this country, and, if so, whether his visit will be of a public character; and whether in that event Her Majesty's Government have in contemplation any arrangement for his reception?

Mr. BOURKE: Sir, I have to state that it is the intention of the Shah of Persia to visit this country. The visit will not be a public one; on the contrary, it is expressly desired by His Majesty that his visit shall be *incognito*, and it is the wish of His Majesty to inspect personally the many institutions and manufactories in this country, and study them in detail. It is the intention of the Government that His Majesty's desire shall be respected.

SOUTH AFRICA—THE CAPE—TELEGRAPHIC COMMUNICATION.

QUESTION.

Colonel MURE asked, Whether the attention of Her Majesty's Government has been directed to the want of Telegraphic Communication between this Country and the Cape of Good Hope; and, whether any steps are in contemplation with a view to such communication?

Sir MICHAEL HICKS-BEACH: Sir, recent events have specially directed the attention of the Government to the want of telegraphic communication between this country and the Cape of Good Hope; and, looking to the peculiar circumstances of the case, and the absence of any prospect that within a reasonable time any communication would be opened by private enterprize, we would be prepared to give our favourable consideration to a proposal for aiding in some form or another in the establishment of such telegraphic communication, provided the several Colonies interested agreed also to help in the work. Despatches to this effect were addressed by me shortly after my accession to my present Office to the Governors of the several Colonies affected, and, should the replies be favourable, I shall lose no time in inviting the attention of my Colleagues to a consideration of the details of the subject, in order that the best plan may be adopted to carry out the proposal, which I think is of the greatest importance to the interests of the Empire.

THE TURKISH LOAN OF 1855.

QUESTION.

MR. DODSON asked Mr. Chancellor of the Exchequer, Whether the sum of £77,448, which Her Majesty's Government were obliged to provide for interest and commission in consequence of the default of the Turkish Government to pay the dividend due in February last on the Turkish Guaranteed Loan of 1855, specially charged upon the Egyptian tribute, has been received in full, or to any and what amount, from the Turkish or Egyptian Government; whether the French Government has paid one moiety thereof; and, whether he can say when the Correspondence with the above-named Governments on the subject, which he informed the House on 19th March should be laid before Parliament as soon as it was in a fit state, will be presented?

THE CHANCELLOR OF THE EXCHEQUER: I am sorry to say, Sir, that the bulk of the sum of £77,448 has not yet been paid. The Porte gave instructions to the Khedive to pay the amount that was due, but the amount received from the Khedive has been somewhat less than £8,000. Why a further amount has not yet been paid I am not in a position to say, but communications are still going on with the Egyptian Government on the subject. The French Government have been advised by Her Majesty's Government of the position of affairs, and they have recognized their liability to pay one moiety. The French Government are prepared to pay the moiety on Her Majesty's Government sending in an account; but as we have been hoping to receive a further remittance from the Egyptian Government we have not yet put the claim in proper shape, and that, of course, will be a matter which will cause no delay between ourselves and the French Government. I am afraid that as the Correspondence has not yet been completed, it will not be advisable to lay it upon the Table of the House.

Afterwards,

MR. DODSON said, he wished to ask a further Question, of which he had not given the right hon. Gentleman Notice. It was, Whether the last instalment of the interest due on the Suez Canal Shares had been paid by the Khedive in full, and when the payment had been made?

THE CHANCELLOR OF THE EXCHEQUER: I am afraid I cannot name the date, but it was paid in full.

SCOTLAND—THE BOTANIC GARDENS, EDINBURGH.—QUESTION.

MR. LYON PLAYFAIR asked the First Commissioner of Works, Whether he has received a Memorial from the Students of Botany in the Royal Botanic Gardens of Edinburgh, complaining that nearly 400 students have to study in a class-room which is only seated for 230; and, whether the Government intend to provide adequate accommodation for the public, which has shown its desire to pursue their studies in these public gardens?

MR. GERARD NOEL: Sir, a Memorial has been received from the Students of Botany in the Royal Botanic Gardens; but I am sorry to say that, owing to more pressing requirements, it has been found impracticable to take any steps to improve the accommodation in the class-rooms at Edinburgh. But I can assure the right hon. Gentleman that when the Estimates for 1879-80 are being prepared, the question shall be carefully considered.

PARLIAMENT—BUSINESS OF THE HOUSE.—QUESTION.

MR. O'CLERY: I beg to ask the Chancellor of the Exchequer, having regard to the forthcoming debate on University Education in Ireland, Whether the Government intend to hold a Morning Sitting on Friday?

MR. BUTT: I think this Question might have been left to be put by myself or the hon. Member for Roscommon, who has charge of the Motion. I would appeal to the Chancellor of the Exchequer not to interfere with the ordinary Sitting to-morrow. My hon. Friend has been good enough in my absence to submit this subject to the

House. It is a subject exciting a great deal of attention in Ireland, and a full discussion of it is very desirable. The Chancellor of the Exchequer had admitted to a deputation that waited upon him the importance of the subject, and I would press upon him that the discussion should be allowed to go on to-morrow. No one knows better than I do the difficulties which have been thrown in the way of the right hon. Gentleman. Still I trust to receive an assurance that to-morrow's Sitting will not be interfered with.

The CHANCELLOR of the EXCHEQUER: Sir, I can assure the House and both the hon. Members who have just addressed me, that I am fully conscious of the importance attached to the question of Irish University education, and I should be most desirous, so far as I could, to provide an opportunity for the discussion of the question. I am, therefore, most anxious that I may not be driven to the necessity of asking the House to meet here to-morrow morning. I wish, however, to state candidly to the House, what the position of Her Majesty's Government is in respect to the progress of Public Business. We have already had six nights' discussion of the Civil Service Estimates, and have been able to get through only 33 Votes. There are upwards of 100 Votes still remaining, and if we proceed with them with similar progress, we should require 18 nights to complete them. There are only 18 Mondays and Thursdays between this and the 1st of August inclusive, and if we obtain no other days than those for discussion of these Estimates, progressing in the same degree, we should find the whole time of the Government taken up upon the consideration of these Votes alone, making no allowance for the discussion of questions relating to the Army and Navy, to our foreign affairs, and to the various other subjects of legislation wich must necessarily engage the attention of the Government. I hope, then, that the House will see that it is not owing to any grudging spirit on our part that we feel ourselves obliged to make stipulations for being afforded further facilities for the progress of the Government Business. I repeat, then, what I have already said, that if we can make sufficient progress to-night in the Estimates, I shall not ask for a Morning Sitting to-morrow. I am fully aware the Irish Members take particular interest in the issue of the discussion upon the Irish University question and the Queen's Colleges in Ireland, and that we must be prepared for a considerable amount of discussion upon that question. I have, therefore, so arranged this evening that, although I shall ask for a Vote on account—a course I hoped to have avoided—the Government will not include in that Vote any item relating to the Queen's Colleges in Ireland. I will, however, fix Supply for Monday next again, and then take the main Vote for them. I hope hon. Members interested in the subject will see that they will thus be afforded a sufficient opportunity of discussing that Vote. I propose to take a Vote on account this evening for all the Services exclusive of the Queen's Colleges, and then to proceed with Class III., which relates to Law and Justice, the earlier Votes in which do not particularly affect Ireland, so that it is not likely they will render necessary any full discussion on the part of the Irish Members especially. That is the position in which we stand. If we find to-night that we are able to make a reasonable progress in our Estimates, we shall not have a Morning Sitting to-morrow. If not, I shall certainly be under the necessity of asking the House to grant us a Morning Sitting to-morrow.

Mr. A. MOORE: Does the hon. Member for Roscommon intend to proceed with the Sunday Closing Bill to-night?

The O'CONOR DON: It is my intention to proceed with it to-night.

Mr. EYTON asked Mr. Attorney General, When he intends to proceed with the Bar Education and Discipline Bill.

The ATTORNEY GENERAL (Sir John Holker), in reply, said, he intended to proceed with this Bill at the earliest opportunity he could obtain, which, he feared would not be until after Whitsuntide.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

DISCUSSIONS ON THE ESTIMATES.

OBSERVATIONS.

MR. DILLWYN said, although he considered it inconvenient, he did not wish to raise any objection to a Vote being taken on account; but he must protest against the tone in which the Chancellor of the Exchequer had spoken with respect to the delay which had been occasioned by the discussions on the Votes in Committee of Supply. It could not be denied that there had been some obstruction, but the greater part of the discussions, so far as he had heard them, were, he believed, really *bonâ fide*, and many of the criticisms of the hon. Member for Meath (Mr. Parnell) were, in his opinion, very able and very much to the point. The Estimates were assuming enormous proportions, and it was, he maintained, essential to the public interests; that they should be fully discussed, in order that it might be seen whether the charge on the public could not be reduced; and with the view to secure that object, as well as to afford the Government reasonable facilities for the conduct of the Business of the House, he thought it might be well to appoint a Select Committee in the early part of each Session, to which the Estimates should be referred, and which should make a Report to the Committee of Supply on each class as it came up.

MR. PARNELL said, he might not be out of Order in referring to the reply the Chancellor of the Exchequer was good enough to give to the hon. and learned Member for Limerick (Mr. Butt) in regard to the Irish University Bill and the proposed Morning Sitting. On Tuesday last, he had ventured to predict that if the Chancellor of the Exchequer took a Morning Sitting he would get no Supply. His reason for that was that the Irish Estimates were the next Business, and if the Chancellor of the Exchequer had been permitted to make considerable progress in Supply, these Estimates would have given rise to considerable discussion. The Chancellor of the Exchequer had now skipped over these Irish Estimates and put down Class III., in which he felt very little interest, until the 14th Vote, relating to "Convict Establishments," was reached. It happened, therefore, that by the action of the Chancellor of the Exchequer, so far as he was concerned, he should be able to facilitate the obtaining of Supply without any sacrifice of what he considered his duty. As regarded the general question of the impediments offered to the Government in the way of obtaining Supply, it had unfortunately happened that the Chancellor of the Exchequer, who had so frequently expressed his opinion on the conduct of Members who had criticized—he would not say opposed—the Votes in Supply, had been almost invariably absent from the House when the discussions on Supply were taken. The right hon. Gentleman must, therefore, have formed his opinions on the conduct of hon. Members on the reports—more or less vague—which had reached him from hon. Members who might have been equally ill-informed with himself. On one or two occasions in which the Chancellor of the Exchequer entered the House when Votes in Supply were being considered, they had been engaged in an unfortunate squabble of a personal character, which had been in every case created by some English Member who had not been present during the evening, and who, thinking that the time of the House was being wasted, got up in a flurry, and made charges of a disagreeable kind. That was the experience from which the Chancellor of the Exchequer spoke, when he talked of the way in which Supply had been dealt with. He would submit to the right hon. Gentleman, as a fair-minded man, that if he wished to constitute himself a judge of others, he should, at least, sit in the House while Supply was being taken. If he could not, why should he speak in this rash way of the conduct of Members who had been in the House all the time that Supply was being taken? By far the greater amount of time in these cases was wasted in unseemly personal squabbles. ["Order!"]

MR. SPEAKER: The observations of the hon. Member, imputing misconduct to hon. Members of the House, and stating that personal squabbles are carried on in this House, which are not corrected, are unbecoming, and I must call upon the hon. Member to be more careful in his expressions.

MR. PARNELL: But they certainly seemed to me to be personal squabbles.

MR. SPEAKER: If personal squabbles occur in this House, it is the duty of the Speaker or the Chairman, as the case may be, to call to Order Members who are guilty of them. The hon. Member is not entitled to say that personal squabbles occur without their being corrected.

Mr. PARNELL replied, that he did not say that personal squabbles occurred without their being corrected. On the contrary, the Chairman had very frequently corrected these things. He ventured to suggest to the hon. Baronet the Secretary to the Treasury at the commencement of the discussion of the Civil Service Estimates what the effect would be if that discussion which it was the duty of hon. Members to give them was even attempted, and his predictions had been verified. At the present moment, hon. Members who ventured to discuss the items of the Estimates were liable to an amount of ill-feeling which required more than ordinary courage to encounter. He would suggest that before next Session the hon. Baronet should consider the desirability of referring the whole of these Estimates to a Committee upstairs; and he believed, if a Committee had the opportunity of going through the items calmly and without heat, and calling the heads of Departments and others before them, they might reduce the Estimates by £5,000,000, or even £10,000,000, without any detriment to the public service; but, on the contrary, to its decided advantage. On the question why he, an Irish Member, should remain in the House and discuss Scotch and English Estimates, he might say that for some time he had confined his exertions to supporting measures promoted for the benefit of Ireland, which were, however, voted down by large majorities of English and Scotch Members, who frequently had not even listened to the arguments that had been used. He saw, then, that he was simply wasting his time, and he accordingly turned his attention to the Estimates, and endeavoured to check extravagance and stop sinecures, in the hope that he might in this way do some small good to those who paid taxes in Ireland. He was very well satisfied with the results that had attended his exertions since he had been in the House. He was sorry that the House had appeared, from time to time, to misapprehend his intentions and desires; but he was perfectly willing to live down the misapprehensions of the House of Commons, and he believed that it would some day admit that it had misunderstood him.

The CHANCELLOR of the EXCHEQUER: Sir, I am sure the House must feel very sorry to hear that the hon. Member considers himself a *personne incompris*, and that the services he has rendered to us have not been appreciated. I am certain that the general feeling of the House will be not to raise any personal discussion. What we meet for here is to discharge the Business of the country, not to discuss the merits of individual Members, or whether their action is or is not justifiable. I venture to apologize to the House for my own absence occasionally when the House was in Committee of Supply. I try to be here as much as I can. All that I have seen of the conduct of my hon. Friend the Secretary to the Treasury convinces those who have been here that he is perfectly competent for the work. I venture to request that the House will be good enough to abstain from unnecessary digressions upon questions of a personal character, and that, as we seem to be tolerably agreed, the course suggested will be pursued. I have to thank my hon. Friends here, and on the opposite side, who did not persevere with Motions of which they had given Notice on going into Committee of Supply. At the same time, in the remarks I made, I did not all wish to intimate any objection to the hon. Members taking the proper and usual privilege which belongs to Members of this House to raise questions upon going into Committee of Supply. I expressed a hope that, in whatever discussions occur before going into Committee of Supply, there would be some consideration for the general conduct of Public Business. If a large proportion of the time is spent in discussing one or two items, that may render it impossible to discuss other items which may be of greater or equal importance. The hon. Member for Swansea (Mr. Dillwyn) spoke of the inconvenience of taking Votes on account, and he said that Votes on which discussions ought to be held are brought on late in the Session, and that discussion could not then arise. If a great deal of discussion occurs, we are driven to that necessity. With regard to the suggestion that the matter should be referred to a Select Committee, I will merely say that that is a large subject which I will not discuss at the present moment. I hope the House will not allow itself on this occasion, and without due preparation, to be led off into a discussion on such a large and important question as that. I hope I have said nothing which can give occasion for a continuation of anything like a personal discussion. We have one object in view—namely, to proceed with the Public Business, and I hope it will be the general feeling of the House that we should now proceed with it.

THE MARQUESS OF HARTINGTON: Sir, it does not appear to me that the Chancellor of the Exchequer is in any way responsible for the discussion which has just been raised. I did not understand the Chancellor of the Exchequer, in answering a Question which was put to him at an earlier period of the evening, to make any reflection whatever on the conduct of any Member of the House. All I understood him to do was to point out that, although there had been a considerable number of Sittings, very small progress had been made in voting Supply, and this made him propose a course which he admitted under ordinary circumstances would have been objectionable. For my own part, I do not think the right hon. Gentleman could have done otherwise than he has done. I hope that the advice given by the right hon. Gentleman may be accepted, and that the House will see that an undue amount of discussion on a limited number of Votes must inevitably, in the end, have the effect of hindering a fair and full discussion of the great body of the Estimates. Therefore, I trust we may be able to proceed without any unnecessary delay.

SIR ANDREW LUSK hoped the House would guard itself against running from one extreme to another. Money should not be voted away without seeing to its application. It was not a dignified course for the Government to say that they were at a standstill, and could not get along. They ought to adopt some means to enable them to do their Business, and there were various ways in which they could improve the present state of things, without interfering with a due amount of fair criticism, if they took the trouble to do so.

Motion, "That Mr. Speaker do now leave the Chair," *agreed to.*

SUPPLY—CIVIL SERVICES AND REVENUE DEPARTMENTS, FURTHER VOTE ON ACCOUNT.

SUPPLY—*considered* in Committee.

(In the Committee.)

"(1.) That a further sum, not exceeding £2,040,710, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1879:—

CIVIL SERVICES.

CLASS I.—PUBLIC WORKS AND BUILDINGS.

Great Britain:—	£
Royal Palaces	3,100
Marlborough House	500
Royal Parks and Pleasure Gardens	9,750
Houses of Parliament	2,700
Public Buildings	10,800
Furniture of Public Offices	1,250
Revenue Department Buildings	15,650
County Court Buildings	3,700
Metropolitan Police Courts	1,250
Sheriff Court Houses, Scotland	650
New Courts of Justice, &c.	10,000
Surveys of the United Kingdom	11,100
Science and Art Department Buildings	1,250
British Museum Buildings	400
Natural History Museum	6,650
Edinburgh University Buildings	1,650
Harbours, &c. under Board of Trade	1,250
Rates on Government Property (Great Britain and Ireland) (2 months' further Vote)	33,200
Abroad:—	
Lighthouses Abroad	1,000
Diplomatic and Consular Buildings	3,600

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

Ireland:—	£
Lord Lieutenant's Household	550
Chief Secretary's Office, &c.	2,200
Charitable Donations and Bequests Office	170
Local Government Board	10,600
Public Works Office	2,450
Record Office	500
Registrar General's Office	1,350
Valuation and Boundary Survey	1,800

CLASS III.—LAW AND JUSTICE.

England:—	£
Law Charges	6,050
Criminal Prosecutions	15,300
Chancery Division, High Court of Justice	14,800
Queen's Bench, &c. Divisions, High Court of Justice	5,250
Probate, &c. Registries, High Court of Justice	7,800

Admiralty Registry, High Court of Justice	1,100
Wreck Commission	850
Bankruptcy Court (London)	3,150
County Courts	36,250
Land Registry	450
Police Courts (London and Sheerness)	1,200
Metropolitan Police	36,860
Police, Counties and Boroughs, Great Britain	350
Convict Establishments in England and the Colonies	36,850
Prisons, England	40,600
County Prisons, &c. Great Britain (4 months' further Vote)	18,400
Broadmoor Criminal Lunatic Asylum	2,100

Scotland:—

Lord Advocate, and Criminal Proceedings	5,600
Courts of Law and Justice	5,100
Register House Departments	3,000
Prisons, Scotland	6,750

Ireland:—

Law Charges and Criminal Prosecutions	7,250
Chancery Division, High Court of Justice	3,300
Queen's Bench, &c. Divisions, ditto	2,350
Land Judges' Offices, ditto	900
Probate, &c. Registries, ditto	950
Court of Bankruptcy	800
Admiralty Court Registry	140
Registry of Deeds	1,600
Registry of Judgments	230
Dublin Metropolitan Police (including Police Courts)	11,500
Constabulary	90,850
Prisons, Ireland	12,300
Dundrum Criminal Lunatic Asylum	530
Magistrates and Miscellaneous Legal Charges	5,450

CLASS IV.—EDUCATION, SCIENCE, AND ART.

England:—	£
Public Education (2 months' further Vote)	358,200
Science and Art Department (2 months' further Vote	51,200
British Museum	9,400
National Gallery	950
National Portrait Gallery	170
Learned Societies, &c., Great Britain and Ireland	1,400
London University	900
Deep Sea Exploring Expedition (Report)	330
Paris International Exhibition (2 months' further Vote)	6,100

Scotland:—

Public Education (2 months' further Vote)	82,900
Board of Education	200
Universities, &c.	1,500
National Gallery	170

Ireland:—

Public Education (2 months' further Vote)	108,500
Endowed Schools Commissioners	60
National Gallery	200
Royal Irish Academy	200

CLASS V.—COLONIAL, CONSULAR, AND OTHER FOREIGN SERVICES.

	£
Diplomatic Services (2 months' further Vote)	33,500
Consular Services (2 months' further Vote)	41,400
Colonies, Grants in Aid	3,450
Orange River Territory and St. Helena	230
Suez Canal (British Directors)	130
Suppression of the Slave Trade	600
Tonnage Bounties, &c.	1,150

CLASS VI.—SUPERANNUATION AND RETIRED ALLOWANCES, AND GRATUITIES FOR CHARITABLE AND OTHER PURPOSES.

	£
Superannuation and Retired Allowances (3 months' further Vote)	110,800
Merchant Seamen's Fund Pensions, &c. (3 months' further Vote)	7,800
Relief of Distressed British Seamen Abroad	2,450
Pauper Lunatics, Ireland (3 months' further Vote)	21,000
Hospitals and Infirmaries, Ireland	1,450
Miscellaneous Charitable and other Allowances, Great Britain	350
Miscellaneous Charitable and other Allowances, Ireland	340

CLASS VII.—MISCELLANEOUS, SPECIAL, AND TEMPORARY OBJECTS.

	£
Temporary Commissions	1,800
Miscellaneous Expenses	750
Total for Civil Services	£1,374,610

REVENUE DEPARTMENTS.	£
Customs	81,700
Inland Revenue	151,000
Post Office	276,100
Post Office Packet Service	64,400
Post Office Telegraphs	92,900
Total for Revenue Departments	£666,100
Grand Total	£2,040,710

CLASS III.—LAW AND JUSTICE.

(2.) £54,505, to complete the sum for Law Charges.

MR. GREGORY said, he had given Notice of opposition to the item for the London Bankruptcy Court; but he thought it would be more convenient if he brought up the subject on the second reading of the Bankruptcy Bill. His object in giving Notice to reduce the Estimates was to protest against the charge for that Court; but he would not bring the question forward now. He would reserve anything he had to say till the time he had mentioned.

MR. BIGGAR said, there was an increase in the cost of criminal prosecutions of £4,500. He should like to know on what principle these prosecutions were conducted? He should like to know, also, if the cost of the prosecution in the Bradlaugh case was included in the Vote, and, if so, upon what principle that cost was incurred, as the offence was not a police offence?

SIR HENRY SELWIN-IBBETSON explained, that these prosecutions were conducted by the Solicitor to the Treasury at the instance of the Secretary of State for the Home Department. The case was submitted for the consideration of the head of the Department before the Solicitor General took it up, and nothing was done without the approval of the head of the Department. In some cases, it was for the public interest that the prosecution should be conducted by the Solicitor to the Treasury, and in others, from the magnitude of the case, it was impossible for it to proceed unless it were taken up by Government.

SIR ANDREW LUSK remarked that something might surely be done to curtail the length of these trials which often extended over 20 or 30 days. Surely the interminable speeches of counsel, for instance, could be cut down.

THE ATTORNEY GENERAL (Sir JOHN HOLKER) said, the Government were not responsible for the Bradlaugh case. That was a prosecution by the City authorities, and the Government were in no way concerned in it. Undoubtedly, the detective case did last for a long time before the police magistrate, but that was not the fault of the prosecution. The counsel for the defence cross-examined the witnesses at enormous length, and so very much prolonged the proceedings. So far as he was aware, no time was wasted in these trials.

SIR ANDREW LUSK said, he was not alluding to the trial of the detectives, but to another case which was heard at the Old Bailey.

MR. MACDONALD said, he found that a clerk in these Estimates was paid £50 under one head, and £15 under another. He thought the Committee should put a stop to such a system. Would any man in business pay his clerks in such a way?

SIR HENRY SELWIN-IBBETSON said, it was found more advisable in cases like the one referred to, to select a clerk in the office, and let him do the extra work required. It was like a case where a clerk took charge of the office during the absence of its head, and received additional pay for that.

MR. O'DONNELL said, under section B, head G, there was a charge of £500 as paid in rewards. He should like to know whether that was really all that was paid for rewards in connection with the administration of justice in this country? It seemed to him rather a small sum, considering the area over which the administration of justice extended in this country. He thought the amount must be supplemented by money from some other source.

MR. RYLANDS said, there was a constant tendency to increase in this Vote. The gentleman in the service of the Crown appeared to be too much for the Members of that House. For instance, they now paid large salaries to the Law Officers; but that did not seem to diminish the expenses of the Vote.

SIR HENRY SELWIN-IBBETSON said, formerly the Law Officers were paid by fees; but that had recently been changed. The fees were now paid into the Exchequer, and the Law Officers received a salary. As to the Advocate General, he believed that an arrangement had also been come to recently with reference to that matter.

MR. GORST thought such an explanation would be exceedingly valuable if the hon. Baronet had told them how much the cash payments into the Exchequer had been; but, as it was, they did not know at all how they stood. As to the Advocate General, he should like to know if there had been an inquiry into the proceeds of his office, on which to base the salary?

SIR HENRY SELWIN-IBBETSON said, the subject was one which had occupied his personal attention since he had been in his present Office. The custom hitherto prevailing had been for each Department to pay its extra receipts into the Exchequer, and the amount had been explained in a note at the foot of the Vote. That amount was always very nearly accurate, but not always a guide for the future. Instead of that speculative amount, he thought it would be better, in future, so to arrange the accounts that the actual amount should appear in the Vote. Each Department would then show, on the face of its Estimate, what were its extra receipts as compared with its gross expenditure.

Mr. W. M. TORRENS wished, in justice to the Government, to bear his testimony to the fact that one item in the Vote had been increased from no fault of the Government, but entirely owing to the passage of a Bill through Parliament which was felt to remove a great and grievous hardship. The fact that the Queen's Proctor was at liberty to bring intervening suits in the Divorce Court, the costs of which, if they failed, were not liable to be paid by the Crown, was felt by both Houses of Parliament to be a system which should not be allowed to continue. The performance of the duties of the office by the Solicitor to the Treasury entailed a certain amount of extra expense in that Department.

Mr. GREGORY thought the permanent staff of the office too large, and trusted the Secretary to the Treasury would look into the matter. Twenty-seven appeared to him to be a large staff for the work which was done, but that number had been increased to 29. There was an item of £450 for writers alone.

Vote *agreed to.*

(3.) £138,097, to complete the sum for Criminal Prosecutions, Sheriffs' Expenses, &c.

Mr. GORST wished to ask a question of the Government, in reference to the item for the repayment to counties and boroughs for their criminal prosecutions. It would, no doubt, be in the recollection of the House, that prior to the present Government coming into Office, a reduction was made in the amount paid for the expenses of criminal prosecutions, which threw upon the ratepayers of the counties and boroughs a burden which they thought an unjust one. Many Members of the present Government on that occasion distinguished themselves by the eloquence with which they brought this subject under the notice of the House. When they came into Office, one of the first things they did was to initiate a new system, by which, instead of repaying the counties and boroughs the actual cost incurred, they paid for the prosecutions which took place on a sort of computed average cost. This arrangement was followed by discussions in the House, in which it was pointed out that this rule, so far from removing, really perpetuated, the injustice which had been denounced, and that it inflicted on the counties and boroughs still greater losses. He had never seen a better instance than this of the power of the permanent officials. Here was a Government led by the officials in the Departments into doing the very thing they had denounced when in Opposition. This scheme was established for three years, and it was promised by the Government that the matter should be re-considered in the light of experience, and that a fair settlement of the question should be arrived at. But, under this average scheme, what was foretold had actually come to pass—the counties and boroughs had lost far more money than was lost under the unjust scale of the previous Government. Deputations from almost every county and borough in the Kingdom had waited on the Predecessor of the hon. Baronet the Secretary to the Treasury, and they had represented to him the loss which was incurred, and the unjust burdens which were laid upon the ratepayers by the operation of this scheme. He had the honour of being present at one of these deputations himself, and the hardship was admitted, the Secretary to the Treasury promising that the subject should receive the consideration of the Government, and that a fair settlement should be arrived at. He wished to ask the hon. Baronet whether, having had all these figures placed before him, and it having been proved that the counties and boroughs were mulcted in far greater sums than were entailed upon them under the previous scheme, the Government were prepared to propose any fresh arrangement for the next three years?

General Sir GEORGE BALFOUR said, this was the second time the hon. and learned Member had brought this question forward, and he earnestly hoped the Government would not give way. He could not agree that it was advisable to allow the counties and boroughs to make what arrangement they pleased in regard to criminal prosecutions. In his opinion, the Government was perfectly right in maintaining a check over this expenditure. It might, perhaps, be said that the auditor was not competent to perform the duties, but that was a question of administration, and it would not be difficult to find someone who was; but he appealed to the Government to maintain the present system.

MR. WHITWELL thought his hon. and gallant Friend (Sir George Balfour) had somewhat misunderstood the hon. and learned Member opposite (Mr. Gorst), who did not so much wish that these charges should be increased, as to know whether it was the intention of the Government to keep to the old average. He knew several counties in which the average was by no means a fair basis for succeeding years; and, for his part, he should be much better pleased to see things go on as they were before, than to see the average principle maintained.

MR. D. DAVIES asked how the increase of £700 in the travelling expenses of Clerks of Assizes was to be accounted for?

LORD FREDERICK CAVENDISH said, it would be in the recollection of the Committee that a few years ago an important Commission was appointed to inquire into the working of the administrative departments of the Courts of Justice. That Commission reported in 1874; but it was said that, owing to the then recent passing of the Judicature Act, it was not thought desirable to make the changes which that Commission recommended until there had been an opportunity for fully considering the effect of the new Act. He could not observe in the Estimates for the year that there was any apparent result from the labours of that Commission. He thought it very desirable that the Committee should be informed what—if any—progress had been made in the adoption of the recommendations of that Commission.

MR. GREGORY said, the noble Lord had anticipated the observation he was about to make. He had more than once asked in the House what were the duties of the Clerks of Assize, because, from his knowledge of them, they were very light indeed. He observed in the Vote that there were several instances in which they acted as Clerks of Arraigns. The Clerk of Assize of the South-Eastern District received £1,500 a-year as Clerk of the Central Criminal Court. He dared say that £1,500 a-year was well earned; but why he should receive £500 a-year as Clerk of Assize he could not understand. He trusted they would have some hope held out by the Government that they would use their influence for the reduction of these offices, either by the transference of their duties to the Judges Marshal, or to the clerks who attended the Judge on Circuit.

MR. MACDONALD said, he observed an item of £180 for salary to the Auditor of Welsh Sheriffs' accounts, who was an officer who also drew a salary from the Land Revenue Department as Receiver of Crown Rents, and who received £100 a-year from the Superannuation Vote. He wished to ask, whether this gentleman was not in practice as a public rent collector? It occurred to him that this was another of those jobs in which one person was allowed to hold so many situations.

SIR HENRY SELWIN-IBBETSON said, in answer first of all to the question of the noble Lord (Lord Frederick Cavendish), the Report of the Commission to which he had referred was now under the consideration of the Treasury, who would carry out its recommendations as the offices fell vacant, or as there were opportunities for re-organization. In regard to the Clerks of Assize, he would remind his hon. Friend (Mr. Gregory) that the Commission which sat in 1868 recommended that the salaries of these officers should be materially reduced; and in several instances, where the opportunity had arisen, that had been done. The Clerk of Assize was an important officer, and one to whose office considerable importance was attached in the country. The increase in the travelling allowances to the Clerks of Assize had arisen in consequence of the additional Assize which had been held under the Winter Assize Act. In regard to the salary of the Auditor of the Welsh Sheriffs' accounts, that work, of course, did not occupy the whole of the officer's time, and he was the Receiver of Crown Rents, deriving his salary from the Land Revenue Department. The £100 a-year superannuation allowance paid to him was in respect of compensation for the loss of an office. In reference to the question which had been raised by his hon. and learned Friend the Member for Chatham (Mr. Gorst), it appeared that, in consequence of the very numerous complaints as to the mode in which the costs of criminal prosecutions were taxed, a system was adopted in 1874, by which they were paid on the average of the three preceding years, to hold good for the following three years. That three years expired in 1877, and when he had just come into Office, he found the Papers which had been laid before his Predecessor on this point. The Examiners of Criminal Accounts were now considering the revision of this scale, and the average would now be taken from the expiration of the first three years on which the previous average was struck, so that the counties and boroughs would have the full benefit of any alteration which had taken place,

Mr. CHILDERS would wish to supplement the statement of his noble Friend (Lord Frederick Cavendish) with reference to the history of the appointment of the Royal Commission on the administrative departments of the Law Courts. There were considerable debates in the House a few years ago on what appeared to be the unduly large charge for these and similar purposes. A Committee, over which he had the honour to preside, was appointed, and before them was disclosed such a gross system of waste and extravagance in the legal department that they recommended the appointment of a Royal Commission. The Members of the Royal Commission comprised a noble Lord of great administrative experience, one of the Barons of the Exchequer, some of the most experienced officials connected with the Treasury and spending departments; and after a very careful inquiry, which extended over two years, they drew up and presented to Parliament a Report, with respect to the greater part of which they were absolutely unanimous. On the question of the necessity for reorganization, there was no question between them. For instance, they dealt very fully with the question of Clerks of Assize, which involved an expenditure of about £20,000 a-year, and recommended not that reforms should be only effected as vacancies arose, but that the offices as now constituted should be altogether abolished, so that an entirely new system might be established, through the agency of a central office in London, which would result not only in considerable economy, but to greater efficiency in the service. He thought the Committee was clearly entitled to ask why a Report of the kind which he had described made four Sessions ago, after an inquiry which extended over two years, had not been acted upon. Surely, four years was a sufficient time in which to deal with those recommendations of a Royal Commission on which there was no difference of opinion. He hoped there would be no mere casual reform, but a general adoption of the practical and valuable recommendations of the Commission, so as to make the reform thorough and complete, and to produce greater efficiency, coupled with economy.

Mr. MACDONALD said, the question he put had not been answered by the hon. Baronet the Secretary to the Treasury. His question was, not whether the Auditor of the Welsh Accounts held another office of profit, and received a pension on account of a third which he had previously held, but whether he had still sufficient time on his hands to serve the public in another capacity?

Mr. D. DAVIES pointed out that the Secretary to the Treasury had not explained to him how it arose that, while the amount for the salaries of clerks had only increased by about 3 per cent, the increase in the travelling expenses was about 20 per cent.

Sir HENRY SELWIN-IBBETSON explained that the increase in the travelling expenses was owing to the fact that an additional Assize was how held under the provisions of the Judicature Act. With regard to the question of the hon. Member for Stafford (Mr. Macdonald), the answer was that the duties performed by the gentleman in question were such as could only be performed by someone specially fitted for the work, and were not sufficient to justify the payment of a salary which should entitle the Government to demand the exclusive services of the holder of the office. It was, therefore, thought best to allow that gentleman to fill another office, the pay from which provided him with a sufficient income in connection with a superannuation which he enjoyed. By this means the country saved a considerable sum of money, and secured greater efficiency in the public service. In answer to the right hon. Gentleman the Member for Pontefract (Mr. Childers), he had to say that the Report of the Royal Commission was, without doubt, a very valuable document, and was being carefully considered by the Treasury; but reforms of the kind suggested in the Report were not of a kind to be made in a day in so large a Department of the public service as that to which the Report referred. He had only been in Office a short time, and the matter had not been dealt with by him officially; but he could assure the Committee that it was the desire of the Treasury to deal with the question, and it would be no fault of theirs if the reforms which were recommended were not carried into effect.

LORD FREDERICK CAVENDISH said, that on former occasions, when he had brought this question before the House, he had been told that the recommendations of the Committee could not be carried out until experience had been had of the working of the Judicature Act. He hoped that some information would be given at once as to the intentions of the Government.

MR. MACDONALD repeated that his question had not been answered. What he wanted to know was, whether this gentleman who held two offices under the Crown, and enjoyed a superannuation allowance on account of another office which he had formerly held, was also enabled to carry on other employments as a collector of accounts for all and sundry the other private persons who might choose to employ him?

SIR HENRY SELWIN-IBBETSON replied, that the official referred to received payment for the duties which he was engaged to perform, and did perform. He knew nothing as to what the gentleman did with any spare time that he might have on his hands.

MR. RYLANDS thought the question which had been asked by his right hon. Friend the Member for Pontefract (Mr. Childers) ought not to be passed over so lightly as it had been. The Chancellor of the Exchequer would remember that, during the time of Office of a former Government, a Committee was appointed to consider the question of Civil Service Expenditure. He had the honour of sitting on that Committee, in company with the present Chancellor of the Exchequer—who was not then in Office—and other distinguished Members of the House. The Committee sat during the whole of one Session, and the Inquiry they made resulted in information of the greatest possible value and interest being elicited. At the end of the Session the Committee suggested, as they had not inquired fully into the matters referred to them, that they should be reappointed, with a view to continuing their inquiry in the following Session. The Government refused to re-appoint the Committee; but, upon their recommendation, appointed a Royal Commission to inquire into one of the branches of the matter referred to them—namely, the expenditure connected with the Law Courts and the Legal Departments of the Government. The Commission sat, and, having completed their inquiry, made a Report; but that Report, as well as the Report of the Committee which sat in 1873, had up to the present been treated as so much waste-paper, and the economies, which might have been secured, at the latest, three years ago, seemed to be as far off as ever from accomplishment. The hon. Baronet the Secretary to the Treasury had said that reforms of that kind could not be effected in a moment; but, surely, the five years which had elapsed since the appointment of the Committee on whose Report the Royal Commission was appointed, had afforded a sufficient time for something to be done? He certainly thought that, at any rate, the Committee was entitled to ask for the re-appointment of the original Committee, or the appointment of a new one, in order to the resumption of the work which was interrupted on a former occasion.

MR. W. H. SMITH said, that, having been up to within a very short time intimately connected with the work of the Treasury, he thought himself entitled, if not bound, to say a few words on the question before the Committee. No one could deny that the Report of the Royal Commission was a most important and valuable one; but, as the noble Lord opposite (Lord Frederick Cavendish) had remarked, it was necessary that there should be some two or three years' experience of the working of the Judicature Acts before effect could be given to the recommendations contained in the Report of the Royal Commission. It was intended, after those two years had expired, to appoint a small Departmental Committee, which should inquire and report as to the working of the Acts. That Committee, he believed, had not yet been appointed; but it was still the intention of the Government to appoint it. It might not be found possible to effect all the economies that were desired; but the wishes of the Government tended solely in that direction, and they would, as far as possible, carry out such of the recommendations of the Royal Commission as were likely to bring about the necessary reforms.

Mr. CHILDERS said, he was much pleased with the assurance on the part of the Government that the Report of the Royal Commission should be dealt with; but he must point out that, a year ago, the Government undertook that the Committee which had been referred to by the right hon. Gentleman the First Lord of the Admiralty should be appointed. It was five years since the Committee sat; four years had passed since the Royal Commission reported; one year had elapsed since the Committee who should consider the Reports of the Committee and the Royal Commission was promised; and yet nothing had been done. He thought the question was the more important and the delay more serious, because not only were the thorough changes which had been proposed delayed, but fresh appointments had been actually made on the old system, within the last few months. He certainly thought that four years was a long time to wait for the Government of the day to act upon the unanimous recommendation of a Royal Commission.

Mr. SCLATER-BOOTH said, the Department of Clerks of Assize had not long since been made the subject of careful inquiry with a view to reforms, and he did not think the conduct of the Government in regard to the matter was fairly open to the charges which had been made to them by the right hon. Gentleman the Member for Pontefract in the course of the discussion.

Mr. O'DONNELL pointed out that the Vote included a sum of £10,500, which was described as—

> "Repayments to Sheriffs in England and Wales of Expenses incurred in providing Lodgings for the Judges on Circuit; Rewards in respect of extraordinary exertions in the furtherance of Justice, and other Expenses (including £240 formerly borne on the Consolidated Fund)."

He thought details ought to be given, instead of the Committee being asked to vote a lump sum.

Vote *agreed to.*

(4.) Motion made, and Question proposed,

> "That a sum, not exceeding £133,210, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for such of the Salaries and Expenses of the Chancery Division of the High Court of Justice, of the Court of Appeal, and of the Supreme Court of Judicature, as are not charged on the Consolidated Fund."

Mr. RYLANDS complained of the amounts put down in the Estimate for the payment of the Official Referees. The amount put down was £6,000, and he believed the work done was quite incommensurate with the sum charged. He should be glad if the hon. Baronet the Secretary to the Treasury or some of the Legal Advisers of the Crown could suggest a way in which the services of the Official Referees could be utilized, and they could be made to earn their salaries.

The ATTORNEY GENERAL (Sir John Holker) said, the hon. Member for Burnley seemed to be under the impression that the Law Officers of the Crown were responsible for the changes which had been rendered necessary by the passing of the Judicature Act. This was altogether a mistake. The Official Referees were appointed under an Act passed in 1873, when a Liberal Government was in power; and it would be remembered that, at the time, several hon. Members on both sides of the House strongly questioned the advisability of making the appointments. The objections were overborne by the Government of the day, and, as a consequence, it was determined to appoint Official Referees. When the appointments came to be made, there was a long discussion in the House as to the suitability of some of the gentlemen who had been nominated, and in consequence of what was then said, the confidence of the public was so much shaken that very few cases were intrusted to the Official Referees. He saw no reason why this should have been so, but the fact remained. He could not contend that the Official Referees had done much work, because the contrary was the fact; but that was not their fault. They had been appointed under an Act of Parliament, and were ready, indeed eager, to do any amount of work that might be intrusted to them; but solicitors and other persons engaged in legal matters were disinclined, owing mainly to the discussions in that House on the question of their appointment, to intrust them with work, and they remained practically unemployed. Another reason why the business of the Official Referees was not extensive was, that the Act under which they were appointed did not give sufficiently wide powers of reference. If that defect were remedied, and the disfavour into which the Referees had fallen in consequence of the discussions in Parliament died away, he had no doubt that sufficient work would be found for them to do. The question now before the Committee, however, was one of expenditure, and he did not see how the office of Official Referee could be abolished, without some arrangement being made for the compensation of the office-holders. All he could suggest was, that if it were found that these gentlemen's time was not fully occupied, and if it should be thought that they were really and truly paid large salaries for doing a very inadequate amount of work, the best way of dealing with them would be—and he would only throw this out as a suggestion to the Committee—that these gentlemen should be utilized for other offices.

Mr. CHILDERS said, no doubt it was true that the Government of the day was responsible for the Judicature Act; but that Act left all the details as numbers, salary, qualification and tenure of office to the Government under which the Act came into operation, and for these the present Lord Chancellor was responsible. The Government under whose auspices the Act was passed was in no respect responsible for anything else except the power granted to appoint so many officers as the Lord Chancellor and the Presidents of the Divisions of the High Court of Justice should decide. Therefore, as to the number and qualifications of the gentlemen appointed under the Judicature Act, the hon. and learned Gentleman the Attorney General could not shake off the responsibility of his Government. With respect to the suggestion of the hon. and learned Gentleman, that the Official Referees, instead of being superseded, had a claim to other judicial appointments, he would remind him that those gentlemen were not in the position of holders of judicial offices, but were exactly like any other civil servants.

Mr. WHEELHOUSE observed, that it had been said, with truth, that certain portions of an action only could now be referred to the Official Referees. If this arose from any defect in the Act under which they were appointed, why could not the Government propose a short Bill, to enable everything in an action to be referred to the Official Referees, and giving them full power to deal with all questions in dispute? Whether those gentlemen ought to be so intrusted was another question.

Mr. MUNTZ said, that there would be no difficulty in referring all questions in an action to the Referees, if all parties consented. He would suggest that, when the offices became vacant, they should not be filled up. Were the services of the Referees now dispensed with, the country would have to pay them compensation, which would come to nearly the same thing as continuing their salaries.

Mr. GREGORY observed, that if there was one thing he objected to in the Judicature Act, it was the power of compulsory reference. At the time the Act was passed, he protested against it as a great injustice; many other hon. Members also raised their voices against it; but the large majority on the other side of the House frustrated the Amendments they proposed on that and many other points. The Referees were constituted under the Judicature Act, and though, no doubt, they had been appointed by the present Government, the machinery with regard to them was regulated by the Act. He thought that discussion with reference to their appointment had arisen only in the case of one of them, the others being appointed as a matter of course. The one to whom that discussion applied was appointed on the recommendation of the Lord Chief Baron to the Lord Chancellor. For his part, he had never expected that a great amount of business would be sent to these Official Referees, and he had not been disappointed. He thought that there should be an understanding with the Government that these appointments should not be filled up when they became vacant; or the suggestion of his hon. and learned Friend the Attorney General might be adopted, and these Gentlemen might be gradually relieved, and placed in a somewhat similar position to the Masters, with regard to the conduct of references and arbitration. He believed that the gentlemen who filled these offices were desirous of working if the public would allow them, and it was not their fault that they sat idle in their offices. One of these gentlemen, who had been referred to by name, Mr. Russell, with whom he was personally acquainted, tried a reference of very great importance which his firm conducted. Mr. Russell threw himself into the matter with considerable zeal, and took a long journey into the South of Europe, in an inclement season of the year, for the purposes of the case. It became seriously ill in consequence. It was certainly one advantage of the system of Official Referees that they could move about anywhere to take evidence wherever necessary. That was a great convenience in the trial of causes submitted to them. But the system under which the fees were at present taken, and by which they were compelled to be paid before the matter could be proceeded with, was at once harassing and vexatious; while, at the same time, it was humiliating to the parties who had the conduct of the business, and, he ventured to say, was entirely unnecessary.

Mr. WATKIN WILLIAMS remarked, that his hon. and learned Friend the Member for Leeds (Mr. Wheelhouse) had expressed a hope that the Government would bring in a short Bill giving the Referees the same powers that were conferred upon the Courts by the Judicature Act of 1873. He was sorry to have to express a contrary opinion; he hoped the Government would do nothing of the kind. It was true there was an impression upon the part of the public, and of some of the Judges, that the power of the High Court of Justice, in referring cases to the Official Referees, was too limited by the terms of the present Act. The truth was, that that was an accidental omission. Those who took part in the discussion of the Judicature Act of 1873 would recollect that, as a matter of policy, the powers to refer compulsorily to the Official Referees were limited. He remembered that some of the legal Members of the House pointed out that there was no provision introduced into the Act empowering the Courts to refer compulsorily any cause to the Official Referees, but only a question in an action. All that was to be referred to the Official Referees were matters for investigation and report in an action. That might seem to be a technical distinction, but it was one of substance; and when a question was referred to them to investigate and report upon, the judgment upon the matter was to be given by the Court itself. Therefore, the full control of the action was kept by the Court, the Official Referee only having to report to the Court upon matters in dispute. Had he not been satisfied that the power to refer compulsorily to the Official Referees was limited to any question in an action, he should have objected to the appointment of those gentlemen. He did not think that the explanation of the small amount of business which had come to them was that actions were not sufficiently within their absolute control. What the cause was he did not know; but he thought it was really hard upon these gentlemen to enter into a personal discussion concerning them, when the matter had been fully discussed in former years. If they were not the best men that could be selected, it was yet harder upon them to rake the matter up; they had given up their Profession for the sake of serving the public, and he protested against the recurrence of a discussion which could not be for the benefit of anyone concerned.

Mr. ALFRED MARTEN was bound to say, with regard to the observations that had been made upon the existing state of business before the Official Referees, that matters had much improved. For a considerable period very little was done by them, owing to the charges being fixed at too high a figure; but about a year ago a change was made, and he believed, speaking especially of Chancery practice, that a considerable amount of business was now referred to the Official Referees. The great objection to their employment at first was the very high fees charged.

MR. NORWOOD did not wish for one moment to attack these officers; but he, for one, objected to giving any compulsory power to the Judges to refer actions, which ought to be tried by them, to inferior officials. He maintained that when a suitor came to Her Majesty's High Court of Justice, he had a right to expect to obtain the verdict of the Judge himself. As he regarded it, the suggestion of the hon. and learned Gentleman the Attorney General would simply have the effect of relieving the Judges of duties they ought to discharge, and of forcing Her Majesty's subjects to accept the decision of an inferior officer; but he thought the proposal made by the hon. and learned Gentleman, that the Government should take into consideration the advisability of utilizing the services of these gentlemen, was a wise one. When the Bill was under discussion, he was one of those who protested against giving these gentlemen too great a power, and he still protested against giving them any judicial power at all.

THE ATTORNEY GENERAL (Sir JOHN HOLKER) did not think that the hon. Gentleman who had just spoken (Mr. Norwood) had exactly appreciated what he wished to state to the Committee. He did not remember having suggested that the Official Referees should have greater power; but what he did say was, that they did not get so much business as they could perform, in consequence of the powers given by the Act of Parliament not having proved adequate for the purpose. As to whether those powers should be increased or not, he had offered no suggestion. The only suggestion of a practical character he had made was, that their time not being utilized under the present system, they might be gradually absorbed and transferred to other offices.

MR. CHILDERS had had an opportunity of referring to the Statute, and he found that the gentlemen accepted office under the ordinary conditions of the Superannuation Act as civil servants. If retired after three years, which was their present service, they would only be entitled to £100 a-year. Whether or not it was intended to absorb them into any other Department, it nevertheless was the fact that they had accepted office on condition of being retired on such an allowance.

MR. W. H. SMITH: My right hon. Friend has hardly recognized the fact that they are legal offices.

MR. CHILDERS: I have referred expressly to the terms of the Act, and it will be found that they are not legal offices, and no addition to their retirement allowances as such has been made.

MR. W. H. SMITH wished to correct the statement he had made in answer to the noble Lord opposite (Lord Frederick Cavendish). The Committee to which he referred, instead of having to be appointed, had completed its work, and agreed upon its Report, which would shortly be under the consideration of the Government.

Mr. RYLANDS said, that it was the duty of those who represented the taxpayers in that House to see, when such large charges were made, that the country reaped full benefit from them. If it were thought that the House of Commons had committed a mistake in establishing offices and placing in them gentlemen who, for some reason or other, failed to fulfil their duties, it would be very unsatisfactory to the public to know that rather than disturb gentlemen in the enjoyment of these comfortable sinecures, the Government would continue to charge the country with the sum of £6,821. If for no other reason, he thought the discussion would be of value, inasmuch as it had produced two important statements, which he hoped would be borne in mind. One was the practical suggestion of the hon. and learned Gentleman the Attorney General that it was possible that the Government might find some suitable situations into which those learned gentlemen might be drafted, and, although a mistake might have been made by the appointment of those officials, yet it might be rectified, and the public interest served by the course so suggested. If, on the other hand, the Government did not find any such situations for those gentlemen, then they were told by the right hon. Member for Pontefract (Mr. Childers), that in the course of the next year they could dispense with their services by giving them a compensation allowance of £100 a-year each. They would then, also, get rid entirely of the Clerks to the Referees at £800 a-year, and in place of £6,800, they would pay an annuity of £400 a-year. If no one else on a future occasion, when the Vote came before the House, was prepared to move the rejection of the amount of the Vote, he should be prepared himself to make a Motion to that effect, with a view of inducing Her Majesty's Government to place those gentlemen on the retiring list. He sincerely hoped the Government would not put the Committee in the position of having to consider a Vote of this kind next year; for he was quite sure the Government ought, without any further pressure, to remove those gentlemen from the sinecure positions they now held, and remove them as speedily as possible to useful situations, or at once to place them upon the retiring list.

Mr. MACDONALD observed, that there was one point on which the hon. and learned Gentleman the Attorney General had misled the Committee. It was stated very distinctly by the Attorney General that these gentlemen gave up their practices and businesses, and that statement was also affirmed by the hon. and learned Member for Denbigh (Mr. Watkin Williams), who had come to the rescue of these sinecurists. He remembered to have heard it stated that they were not in the possession of any practices. There was one other point to which he would call the attention of the hon. Baronet the Secretary to the Treasury. It was the item—"Chancery Officer and High Court of Justice—1. Stock Broker, £2,000 a-year." He would like to know what the office of Stockbroker had to do with the High Court of Justice.

Mr. BULWER said, that he remembered, when this measure was passed, expressing the apprehension he was under that the appointment of the Official Referees would be a failure. It was then the opinion of the public and of the Profession that an additional Judge was required, who would have cost the country some £5,000 a-year; but the late economical Government preferred appointing the Official Referees, who cost the country a good deal more. In his opinion, the appointment of the Official Referees was altogether wrong on principle, and the only justification that he could see for their appointment was that suitors might be benefited by lessening the expense of arbitrations; but, as he understood, no such benefit had resulted. If parties were to be compelled to refer matters in controversy to others than the legal tribunals, they ought to be able to choose the arbitrator themselves, for better or for worse, whose decision should be final. Under the present system, neither time nor expense was saved. It was in the power of any disappointed litigant to re-open every question before the Superior Courts, questions of fact as well as questions of law, all of which had been dealt with by the Official Referees, and thus to add very enormously to the expenses of litigation. To allow that to be done was, he thought, bad on principle. With reference to what had been said as to the gentlemen appointed having no practice, to his personal knowledge two, at least, of them, gave up large and lucrative practices, and the hon. Member for Stafford (Mr. Macdonald) was, therefore, wrong in what he had stated. He did not think that gentlemen who had given up large and lucrative practices ought to be dealt with in the manner suggested. It would be quite unworthy of the House of Commons to consign these gentlemen to private life with a salary of £100 a-year. So far as the principle of Official Referees was concerned, he protested against it, and believed that their appointment had been an unfortunate experiment.

Mr. D. DAVIES wished to call the attention of the Committee to one point, having had considerable experience in business before Referees. In his opinion, there was nothing worse than going before Referees, for counsel always took liberties with them. Barristers arranged matters for their own convenience, and postponed and delayed the trial, by which means those who employed them lost hundreds of pounds. A Referee or two might be useful to assess what the Judges called "quantum." The Judges could not be expected to go into questions of amount, and for that purpose Referees would be useful. He trusted the Government would find some way to make these gentlemen useful for that purpose.

The ATTORNEY GENERAL (Sir John Holker) thought the hon. Gentleman who had just spoken (Mr. D. Davies) had raised an objection which could not be validly urged against these Official Referees. His objection was really against arbitrators appointed for better or for worse by the parties. Such a Referee might, at the request of counsel, allow an adjournment; but the Official Referee could not do that, but had to sit *de die in diem*, without listening to any applications for adjournment.

Sir **HENRY SELWIN-IBBETSON**, in answer to the question of the hon. Gentleman the Member for Stafford (Mr. Macdonald), would venture to say that if the Stockbroker of the Chancery Division were not paid by salary his commission would come to a very much larger sum.

Sir **HENRY JACKSON** said, that everyone acquainted with Chancery business knew that hundreds of thousands of pounds were invested yearly in the purchase of different securities. Some of those investments were of a very minute amount, and must necessarily cause an enormous amount of trouble to those engaged in making the investment. He should like to say one word on the question of Official Referees. Everyone must feel that the present system was a confessed failure, though as to the cause of it people might have different opinions. There were some very unpleasant debates as to the qualifications of the gentlemen appointed; but, after full discussion, the House came to the conclusion that no further action was necessary, and he thought that the present question ought to drop. He could not help thinking that the real cause of the failure was this—that it was not originally intended that lawyers should be appointed Official Referees. The theory of the Referees was, that technical questions, such as the hon. Member for Cardigan (Mr. D. Davies) refered to—as questions of "quantum," specifications of patents, chemical questions, and other matters of a technical character—should be referred to the investigation of persons who had scientific and technical, rather than legal, knowledge. In the clause of the Act of Parliament he found that it was not stated whether these Official Referees were to be barristers, or even lawyers at all. Their qualifications were left entirely open, and he could not help thinking that there had been some little miscarriage in the appointment of lawyers. It was well known that jealousy was felt by suitors with regard to compulsory references. Every suitor thought he had a right to have his cause tried by the Judge himself, and, certainly, a good deal could be said in favour of that idea. But the same objection to a reference would not occur if skilled technical Referees had been appointed to conduct the compulsory references. He hoped that some day, when there was a vacancy in these offices, the Government would not abolish them, but would appoint in the place of lawyers some technically skilled persons, who would be able better to carry out the intentions of the framers of the Act.

Mr. **ALFRED MARTEN** observed, with regard to the superannuation allowances, that one of those gentlemen appointed was formerly Examiner in Chancery, and would not fall under the category mentioned by the right hon. Gentleman opposite (Mr. Childers).

Mr. **BIGGAR** wished to have an explanation of some items which he found at p. 169 of the Estimates. They were under the head of Salaries to the Lord Chancellor's Officers. He found a Clerk of the Crown in Chancery, Chief Clerk to ditto, Second Clerk to ditto, Third Clerk to ditto, Messenger, Secretary to the Lord Chancellor, Secretary of Presentations, Secretary of Commissioners of the Peace, Gentleman of the Chamber, Pursebearer, ditto for performing the duties of Sealer and Chaff Wax, Messenger of the Great Seal, and others. He would like his hon. and learned Friend the Solicitor General to explain the meaning of some of those offices, for it seemed to him that the salaries paid to the Lord Chancellor's officers were exceedingly heavy in proportion to the amount of business performed by them.

Mr. **O'DONNELL** wished to protest against the employment of Official Referees. From all parties in the Committee he heard that they were excellent persons, very desirous of having something to do, yet finding no work. He begged to move to reduce the amount proposed to be voted by £3,000, which would relieve the Estimates of two of the Official Referees.

The **CHAIRMAN**: Does the hon. Member propose to reduce the Vote or the item?

Mr. **O'DONNELL**: The item.

Motion made, and Question proposed,

"That the item of £6,821, for Salaries of Official Referees be reduced by the sum of £3,000."—(*Mr. O'Donnell.*)

Mr. WHITWELL hoped the hon. Member for Dungarvan (Mr. O'Donnell) would withdraw his Motion. It must be well known to him that a division would be perfectly nugatory, and they already had the assurance from hon. Gentlemen on the opposite side of the House that they would do the best they could to decrease the expenditure for the future.

Mr. CHARLES LEWIS perfectly well recollected the discussion that took place in that House in 1873, when the original Judicature Act was passing. The clause appointing the Official Referees was supported on the ground that it would be well to appoint prominent scientific men as Official Referees to conduct references of scientific matters. The Lord Chancellor had not carried out that clause, of which he was not the author, and had seen fit to appoint barristers. It was no wonder their services were not so much sought after by suitors as those of scientific men would be in purely scientific cases. There was a very wide-spread suspicion and dislike of these "hole-and-corner" investigations. It was, however, a very hard thing to call these gentlemen the holders of sinecure offices, when they had to attend and be ready to perform their duties. It was necessary for them always to be in attendance at their offices, for they could never tell when they would be required. He begged to oppose the Amendment.

Mr. CHILDERS joined in the appeal to the hon. Member for Dungarvan (Mr. O'Donnell) to withdraw his Motion.

Mr. O'DONNELL said, he did not feel himself justified in withdrawing his Motion, but would be content if the Committee negatived it without a division.

Question put, and *negatived.*

Original Question again proposed.

Mr. RAMSAY asked whether the Government had directed their attention to the Report of the Select Committee on Lunacy. Evidence was produced before that Committee to show that very great expenses were incurred by the employment of Visitors in Lunacy and the Masters in Lunacy. He thought that some attention should be paid to that evidence, and he hoped Her Majesty's Government would see its way to effect a junction between the jurisdiction in Lunacy of the Court of Chancery and the Commissioners in Lunacy, so as to unite the two bodies into one Department of the State, having charge of all lunatics. That system prevailed in Scotland, and economy would be effected in England by putting all lunatics in the charge of one Department. It was essential something should be done, as great expenses were incurred by the present system.

The SOLICITOR GENERAL (Sir Hardinge Giffard) said, that the Lord Chancellor's Offices numbered a great many Departments in the State, with different Secretaries who were absolutely essential for the performance of the work. The Secretary of Presentations took charge of that Department, while the Secretary for Commission of the Peace looked after another; and so on. With reference to the other Departments, he could not give the exact duties of each, but they were all necessary.

Mr. BIGGAR said, he was not satisfied with the explanation. There was a Pursebearer, a Sealer, and Chaff Wax; and, unless he had some reasonable explanation of their duties, it seemed to him that the offices were sinecures. He would confine himself to moving that the Vote be reduced by the sum paid to the Pursebearer, Sealer, and Chaff Wax.

The CHAIRMAN said, that the hon. Member for Cavan would not be in Order in making the Motion he proposed. The Committee had at present before it the Motion to reduce the item for the salaries of the Official Referees, and it would not be in Order to propose to omit another item while that was under consideration.

Mr. BIGGAR thought that he would be in Order in proposing that the whole of the Vote be reduced. He should like an explanation as to the Clerk of Petty Bag, and the other officers.

The SOLICITOR GENERAL (Sir Hardinge Giffard) was afraid that he could not explain all these different items as they were not in his Department. The Sealer and Chaff Wax, he presumed, performed duties in affixing the Great Seal to all documents passing under it. No doubt, it would not be expected that the Lord Chancellor would himself affix the Seal, and he supposed the official referred to was charged with that duty. The office of the Petty Bag was one from which all original writs issued. He did not know the exact administration of the office, only that it was one that was actually in the performance of duties, and in no respect a sinecure.

MR. GREGORY wished to state that the office of Chaff Wax used to be a sinecure. There was a considerable revenue attached to it; but it was now abolished, and the holder received compensation. There were certain duties which had to be performed, and they were now executed by a person who received £100 a-year for affixing the Great Seal. The Pursebearer was the person who carried the Great Seal, and always accompanied the Lord Chancellor.

SIR ANDREW LUSK would ask the hon. Member for Cavan (Mr. Biggar) to rest satisfied with the explanation.

MR. DILLWYN said, that a question had been asked as to the meaning of the Petty Bag office. So far as he could understand the hon. and learned Solicitor General, the explanation was that he did not know much about it. That did not seem to him satisfactory.

MR. PARNELL observed, that the office of Pursebearer had already been under the consideration of the Commissioners appointed to inquire into those offices. In the Report of the Commissioners there was a short passage which he would read—

> "We are of opinion—and it is one shared by the present Pursebearer—that all of his duties, except that of sealing, may be done by the Gentleman of the Chamber, and that the sealing could be done by a messenger under the direction of that officer."

Thus, the Commissioners gave it as their opinion that the duties of a Pursebearer could be performed by other functionaries, and £600 a-year saved to the country.

SIR HENRY SELWIN-IBBETSON said, that the Report of the Committee appointed by the present First Lord of the Admiralty had not come before the House; but it would be presented in a short time. Then the suggestions of the Committee would be considered with a view to the adoption of their proposals. He must, however, remind hon. Members that, when it was proposed to abolish some of these offices, the question of retiring salaries to the holders of them had to be considered. Therefore, they must be very careful in adjusting any scheme to carry out the Report of the Committee.

MR. BIGGAR said, that the explanation as to the Pursebearer was satisfactory, and he would assume that the Government would do what was right for the public service in respect of that office, and that if the duties could be performed by some other officials, the holder of the office would be absorbed in some such way as proposed in the case of the Official Referees. As to the Petty Bag Office, no explanation seemed to be given, and he should be happy to hear something with respect to it.

SIR HENRY SELWIN-IBBETSON thought he had stated no alterations were to be made at present, because a Committee had been appointed to report upon the matter. The Department of the Petty Bag was one of those old Departments of the State, like the Pursebearer, the relic of an old system, and, in common with the others, would come into consideration in any fresh scheme that might be proposed. It would be impossible to do away with particular offices, except by the re-organization of Departments, and the subject, as a whole, had yet to be considered.

MR. BIGGAR said, that as he understood that these offices were likely, to some extent, to be re-constituted, he would not trouble the Committee any further in the matter; but if he lived for another year, and found that no reform was introduced with respect to the items to which attention had been drawn, he should feel it his duty to strenuously oppose the Votes, for many of the charges included in them appeared to him to be thoroughly preposterous.

MR. RAMSAY remarked, that no notice had been taken of the subject to which he had directed attention. He would appeal to the hon. and learned Gentleman the Solicitor General seriously to consider the expediency of making some change in the administration of the affairs of lunatics, which came under the cognizance of the Court of Chancery. He thought that the facts which were stated in the evidence to which he had referred were sufficient to show that some change should be made. He did not say what change. Upon that point he offered no opinion; but some assurance ought to be given to the Committee that the subject would be seriously considered before this Vote was submitted to them another year.

Sir HENRY SELWIN-IBBETSON said, he had to apologize to the hon. Member for the Falkirk Burghs (Mr. Ramsay), but really his point was covered by the reply which he had already given. These were all branches of the same Department, on which a Royal Commission, and, subsequently, a Committee, had reported; and the question of the re-organization of the Staff and duties of this, as of all the other branches of Chancery, would have to be considered at the same time by the Treasury.

Mr. DILLWYN thought it was rather hard that when a plain question, as to what were the duties of the Petty Bag Office was asked, not a single Member of the Government was in a position to give a plain answer to it. Yet the Committee were called upon to vote a certain sum of money for the office. He thought that when his hon. Friend the Member for Cavan (Mr. Biggar), who had threatened to move the rejection of this item, accepted the explanation of the hon. Baronet the Secretary to the Treasury—though that explanation was far from satisfactory, indeed, it was no explanation at all—that under the circumstances his hon. Friend ought not to be readily charged again with obstruction. He (Mr. Dillwyn) confessed that if he had proposed the reduction of the Vote, he should not have been disposed to act as his hon. Friend had done.

Mr. GREGORY desired to point out to the hon. Member for the Falkirk Burghs (Mr. Ramsay), that the functions of the Masters of Lunacy had reference, to a great extent, to the management of the estates of lunatics; while the duties of the Commissioners, who had to visit the lunatics, were of a distinct character.

Mr. RAMSAY said, he was fully aware of what the hon. Gentleman opposite (Mr. Gregory) had just stated; but what he had omitted to tell the Committee was, that the items to which attention had been drawn were justifiable either in the interest of the lunatics, or of the country. What he (Mr. Ramsay) contended was, that these estates ought to bear the expenses of management, including the expenses of any persons or officers who might be employed by the Lord Chancellor to look after them. He thought, moveover, that he had shown that the subject was one of pressing importance.

Original Question put, and *agreed to.*

(5.) £47,440, to complete the sum for the Queen's Bench, Common Pleas, and Exchequer Divisions of the High Court of Justice.

Mr. GREGORY said, a vacancy had recently occurred in the office of Master of the Queen's Bench. He believed it had been stated by his hon. Friend the Secretary to the Treasury, that the Report of the Committee upon Legal Offices was in the hands of the Treasury, and he (Mr. Gregory) hoped that before long it would be laid upon the Table of the House. He thought they might assume that that Report had some bearing upon such an office as he had mentioned, and it might be satisfactory to the Committee to receive some assurance from the Government that this office should not be filled up until, at all events, the Treasury had had an opportunity of considering this Report. Perhaps, his hon. Friend the Secretary to the Treasury could give them some information upon the subject.

Sir HENRY SELWIN-IBBETSON was afraid his answer would not be satisfactory to his hon. Friend. He could only say that the appointment was one which rested, not with the Treasury, but entirely with the Lord Chief Justice.

Lord FREDERICK CAVENDISH said, that, if he were not mistaken, power was taken in an Act, passed either last year or the year before, to suspend all appointments until it had been decided what course should be adopted with respect to the Report of the Commission.

Mr. WHITWELL could not think that the Lord Chief Justice would fill up an appointment which he was given to understand would have to come under the review of the Treasury. He wished to ask, whether it was a fact that all expenses incurred in respect of Election Petitions were paid by the parties themselves? He had been under the impression that such was the case; but he found that the Vote included a considerable sum for defraying the expense of conducting such Petitions.

Sir HENRY SELWIN-IBBETSON thought, that if his hon. Friend would refer to the Act on the subject, he would find that the duty of defraying certain expenses was imposed by it upon the Treasury out of money to be provided by Parliament. These were the expenses put down in this Vote.

Mr. BIGGAR said, it struck him that under the head of Clerks to the different Judges in the Queen's Bench Division, there was an extraordinary large number of persons employed. He should like to ask the hon. and learned Solicitor General what occupation there was for so many clerks?

The SOLICITOR GENERAL (Sir Hardinge Giffard) believed that the clerks were not one too many with reference to the administrative business that had to be got through. The hon. Member did not sufficiently understand that, besides the business with which he was more familiar—namely, that which took place in Court—there was an enormous number of duties of a different character. Originally the clerks were paid by fees, and those fees were considered to be excessive. By an Act of Parliament fees were taken away, and the clerks were paid, not so very long ago, by salaries which were then fixed; but he believed it was the experience of all the learned Judges in their Chambers, that the number of clerks was by no means in excess of the requirements of the public service.

Vote *agreed to.*

(6). £70,274, to complete the sum for the Probate, &c., Registries of the High Court of Justice.

(7). £10,044, to complete the sum for the Admiralty Registry of the High Court of Justice.

Mr. MACDONALD complained that here, again, they had officers filling two distinct offices, for each of which they received a salary. He should really like to know how it was they were able to perform the duties of both offices. He had no wish to waste the time of the Committee, but he must repeat that this was a matter which demanded their most earnest attention.

Mr. MELLOR said, he entertained the opinion, that the more they obstructed upon these Estimates the more likely they were to arrive in the end at a satisfactory solution. He quite agreed with the remarks made by the hon. Member for Stafford (Mr. Macdonald). It would appear that persons were appointed to office without regard being had whether the duties were sufficient to absorb the whole of their time or not. His own opinion was, that a person was appointed who was employed for a couple of hours each day, and that he was attached to some other Department with an additional salary to fill up his time. He found that in that House there was one party to trim the lamp, and another to light the fire; but on the principle which seemed to guide the Treasury in these matters, if the one man were to be employed to perform both duties he would receive two salaries, although he performed them within the day. He hoped that the hon. Member for Stafford would take a more decided course. Nothing was so objectionable to his mind as discussing these various points in the Estimates without coming to a division, and testing the opinion of the Committee upon them.

Mr. MACDONALD said, he had again to ask the hon. Baronet the Secretary to the Treasury, what explanation he had to offer with respect to persons who were receiving as much as £200 a-year for one office, while they were paid large sums besides for services rendered in other offices? Unless this thing was explained, he should certainly follow the course indicated by the hon. Member for Ashton-under-Lyne (Mr. Mellor), and divide the Committee on every one of these items, if it were to take six months to get through the Estimates.

Mr. J. COWEN thought that some of his hon. Friends scarcely appreciated the position. Their judicial system was one that had recently undergone an entire change, and the difficulty arose in assimilating the old with the new. There were a large number of persons holding offices now who held offices under the old system, and they could not dispense with them without giving them compensation. The difficulty was to join the old and the new together. Now, as he understood, the Government had undertaken to inquire into the whole subject, and deal with it in a comprehensive manner, and if they did that, they would remove the objections which some of his hon. Friends had to the present system. There was no doubt that what they said had a good deal of force in it—namely, that many of these gentlemen were holding two or three offices, getting salaries for each, and doing comparatively nothing for them. But if that state of affairs was to be dealt with, it must be in a comprehensive and not in an isolated way.

Sir HENRY SELWIN-IBBETSON explained, that what the hon. Member for Newcastle (Mr. J. Cowen) had said accounted for a considerable number of these cases. He would further point out that the result of employing some of these officers in doing work which appeared in the foot-note as work done without the Department was a saving of the public money. If that course had not been followed, the probability was that the work would have been done by some officer appointed for the purpose with a larger salary.

Lord FREDERICK CAVENDISH said, that perhaps he might be allowed to inform the Committee why it was that such an increasing number of these foot-notes appeared in the Estimates. The fact was, that some few years ago the Committee on Public Accounts recommended that this information should be given, as they thought it very unfair that full information should not be afforded to the House. Formerly, no such notes were appended to the Votes, and it would have been impossible then, from the Estimates, to know what the emoluments of a public servant were.

Mr. DILLWYN quite agreed with the noble Lord (Lord Frederick Cavendish) that the foot-notes were a great improvement on the Estimates produced formerly; but what he urged some time ago upon the House, and what he would still continue to urge, was that an addition should be made to these foot-notes. He desired that in each Session, before the Estimates were placed in their hands, a tabulated statement should be prepared showing the names of all the officers who held different offices, with the salaries or remuneration attached to them. The House would then be able to see what it was doing. He quite agreed with what the hon. Baronet the Secretary to the Treasury had said. It might be a great advantage to the public service to have two separate sets of duties performed by an officer in one of the Departments; but, on the other hand, such an arrangement afforded an opening for very great jobbing and mystification. It might, in fact, be made a cover for sinecures, if not very sharply looked after; and a tabulated statement such as he had suggested would enable hon. Members to discharge that duty much more efficiently than they could at the present time.

Mr. BIGGAR wished, before the Vote was passed, to call the attention of the Secretary to the Treasury to one item in it. He observed that in the case of the Registrar of the Court of Admiralty, that officer was also paid a salary as Wreck Commissioner—the two together, with that appertaining to another office, amounting to £3,000 a-year. As Registrar, he was receiving a salary of £1,600 a-year, and it seemed to him that was a very large sum to pay a man filling the position of Registrar, who had, he supposed, no judicial duties to perform.

Sir HENRY SELWIN-IBBETSON explained, that when the Wreck Commission was first started, the duties of that body were intrusted to the Registrar of the Admiralty Court, as being one of the ablest men who could be found for the position. He thought that, having regard to the nature of the duties performed by that gentleman, the Committee would not think that he was paid too much.

Mr. O'DONNELL wished to say, with reference to the observations of the hon. Member for Newcastle (Mr. J. Cowen), that he thought the general undertaking of the Government to take a survey of the whole subject did not relieve hon. Members from the duty of criticizing the Estimates, and pointing out what they considered as blots in them.

Vote *agreed to.*

(8.) £8,142, to complete the sum for the Wreck Commission.

(9.) £28,945, to complete the sum for the London Bankruptcy Court.

General Sir GEORGE BALFOUR asked, whether he was not right in stating that the superannuations were equal to the whole amount of the salaries now paid in the Bankruptcy Court?

SIR HENRY SELWIN-IBBETSON explained, that though the pensions bore a large proportion of the total amount, they were gradually dying out.

MR. MACDONALD asked, why one of the clerks received £100 a-year in addition to his salary, and £20 a-year in the shape of an advance which was paid to him in common with the other clerks? What were the duties which entitled him to the extra £100?

SIR HENRY SELWIN-IBBETSON was afraid he could not give the desired information; but, from its not appearing in a foot-note, he imagined that the £100 was for some special work done by the clerk in question. He would make inquiry.

MR. PARNELL asked the meaning of the item for Counsels' fees?

SIR HENRY SELWIN-IBBETSON imagined that there was still work required to be done by those gentlemen, although the office had been abolished.

Vote *agreed to.*

(10.) £326,527, to complete the sum for County Courts.

MR. J. COWEN said, he wished to direct the attention of the Committee to the items in this account relating to the payment of County Court Registrars. When these Registrars were appointed, the design and intention of Parliament was that their salaries should not amount to more than from £800 to £1,000 a-year. That was the maximum it was then held that the Registrars should be entitled to receive. But it had so happened that, in consequence of the great increase which had since taken place in the business of the County Courts—an increase which at the time these salaries were fixed had never been contemplated by the Legislature—the salaries of the Registrars had been greatly augmented. He ought to state that the Registrars were paid partly by fees and partly by salaries, and the result was that a large number of them received incomes considerably in excess of the intended maximum. He found that there were 11 County Court Registrars in this country who were in receipt of upwards of £1,500 a-year; there were 10 who were receiving £1,200 a-year; and a considerable number—he did not know how many—who received upwards of £1,000 a-year. And not only did many of them receive incomes in excess of what was originally intended, but some of their incomes were very largely in excess. For example, the Registrar of the County Court of Birmingham received £5,150 in the shape of salary, and £2,451 in payments on account of clerk-hire. Thus, this officer, who was expected to receive from £800 to £1,000 a-year at the time of his appointment, was now receiving a sum that was much in excess of the salaries paid to the Speaker of the House, the Chancellor of the Exchequer, and the Prime Minister of England, and double the salary given to the Chairman of Committees. The Registrar of the Leeds County Court was in receipt of a salary of £3,636 and £1,365 for clerk-hire. The Registrar of the Newcastle County Court received £3,571 a-year, and £375 for clerk-hire. The Registrar of Sheffield had a salary of £3,348 and £1,000 for clerk hire. The Registrar of the Bristol County Court received £3,245 as salary, and £1,725 for clerk-hire. The Registrar of the Manchester County Court was in receipt of £2,768 salary, and £1,390 for clerk-hire. The Registrar of the Bradford County Court had an income of £2,596, and £596 for clerk-hire. He might add many more cases of a similar character to this list; but what he had already stated was sufficient to show that the sums paid to these officials were much in excess of what would be a fair and legitimate emolument for the duties discharged as well as of the income which Parliament originally intended them to receive. It seemed to him a great anomaly to place a man in the position of a County Court Judge with a salary of from £1,200 to £1,500 a-year, and to allow an officer of his Court, with nothing like his legal experience, sitting in an adjacent room and performing what was merely clerical work—at any rate, duties that almost any ordinary clerk could perform—to receive something like double the salary given to the Judge, and sometimes three times the amount; while, in a very large majority of cases, his income was greatly in excess of that of the Judge. He trusted that some attention would be paid to this matter by Her Majesty's Government, and that an arrangement would be made by which the salaries paid to Registrars should be proportionate to the duties they had to discharge than was now the case. He had no wish to deal hardly with those who at present held the office of Registrar. They had got their appointments, somewhat perhaps by accident, but still they held them, and if the arrangements for their payment should be altered, they would be entitled to compensation; but, in the case of after appointments to that office, it would not be difficult to arrange that they should not be paid anything like the sums they were now receiving. He did not propose to move any Amendment, or to ask for any reduction of the Vote, because he knew that that would be practically impossible. All he desired was to direct attention to this great anomaly; and he should be glad to hear some expression of opinion on the part of the Government, and, if possible, some assurance that they would devote attention to the subject. He was aware that Gentlemen in that House who belonged to the Legal Profession did not like to hear persons who were outside the Profession speaking on legal matters, and that whenever those who were outside the Legal Profession did touch upon such subjects, the rule was to treat them with a certain amount of indifference. Nevertheless, commercial men throughout the country were greatly interested in this matter; and, under these circumstances, he had taken the liberty of submitting to the Government and the Committee the points to which he had drawn attention.

Mr. WHEELHOUSE was inclined to indorse pretty nearly everything that had fallen from the hon. Member for Newcastle (Mr. J. Cowen) as to the anomalous position of County Court Registrars. No one who knew what were the duties of these gentlemen could doubt that the salaries and fees which made up their incomes were very much in excess of what was originally contemplated or thought possible. It was simply an absurdity to know that while none of the Judges had £2,000 a-year, some of the Registrars obtained twice that sum from their offices. He thought he could point out what was one reason for this. Since the passing of the Act under which the Registrars were appointed, the law had imposed upon these officers a second office—namely, that of District Registrar, to which was attached a considerable salary. He trusted that something would be done by which the two offices could be dissociated and kept distinct.

Mr. WHITWELL said, it must be evident to everyone who had at all considered the subject that it was impossible for this Vote to be brought before the House, without some allusion being made to the subject touched upon by the hon. Member for Newcastle (Mr. J. Cowen). It was a subject of which they had heard a good deal lately; but, whatever opinions they might have upon it, they ought not to forget that one of the causes of the increased amounts paid to the County Court Registrars was the enormous increase of business that had taken place in the County Courts; and, inasmuch as the Registrars were paid by fees over and above their specified salaries, their emoluments had shown a proportionate increase. One of the causes of this great increase of business was the extension of the Bankruptcy Act to the County Courts; and as there was a large amount of bankruptcy business done in these Courts, the Registrars derived therefrom an extra income. He hoped, however, that now the attention of Her Majesty's Government had been so strongly called to the subject, they would lend their aid in a very desirable reform by equalizing the payment of Registrars.

Mr. MELLOR expressed a hope that, as the offices now held by the Registrars became vacant, the new appointments would be made at fixed salaries, without fees. This was the only judicious course Her Majesty's Government could take on this subject.

The ATTORNEY GENERAL (Sir John Holker) said, the matter was one that would have full consideration on the part of Her Majesty's Government. At present, the arrangement under which the Registrars were remunerated was fixed by Act of Parliament, and there could be little doubt that when the emoluments of those officers were originally determined, the business of the County Courts was never expected to increase to the proportions it had assumed. The hon. Member for Kendal (Mr. Whitwell) had hit upon the real reason why the remuneration of the Registrars was apparently so much out of proportion to their duties. If hon. Members would refer, they would find an explanation of the present law upon the subject. By the Act 19 & 20 *Vict.* c. 108, the Registrars were to be paid £120 for the first 200 plaints entered in the year, and £5 for every additional 25 plaints entered up to 1,000, and then £4 until the number reached 6,000; and out of this remuneration the necessary clerks were to be paid by the Registrars. If the number of plaints exceeded 6,000, the net salary was not to exceed £800, with £70 for clerk-hire. This was altered by a later Act of Parliament, which specified that on the occurrence of any vacancy in the office of High Bailiff the Registrar should perform the duties of High Bailiff, with a moderate scale of remuneration. It was never contemplated at that time that the number of plaints would exceed 8,000; but, as a matter of fact, the number of plaints frequently exceeded 8,000 in the year. The County Courts had proved to be rather a favourite tribunal, and the number of plaints had greatly exceeded what was originally anticipated. He was free to confess that the Registrars were at present remunerated to a far higher amount than was reasonable and fair. That was his opinion. The question, therefore, came to this—what was the remuneration to be? He must say he had been rather surprised to hear the hon. Member for Newcastle (Mr. J. Cowen) complain of a disinclination on the part of the lawyers to hear observations on such subjects as these from persons outside the Legal Profession. For his own part, he (the Attorney General) never had such a notion, and he certainly never heard any such disinclination expressed by any lawyer in that House; while he might add that everyone was in the habit of receiving with favour any proposition that came from the hon. Member for Newcastle. The hon. Gentleman had recently introduced into the House a County Courts Bill, which contained suggestions that were received with the greatest possible attention by the House. He considered the proper mode of paying Registrars was by salary, and he should be glad if means could be devised to enable such a plan to be adopted. But there were many difficulties in the way of making such an arrangement. True, in large places, a reasonable salary might be easily fixed; but that would not be the case in small Courts. If the Registrars of these little districts had a salary, the least which could be paid them would be a great deal more than the work they had to perform warranted. However, he might say that the Government, being perfectly alive to the anomalies which existed under the present mode of payment, would grapple with the subject, and take some steps which would bring about a more satisfactory state of things.

Mr. MELDON said, the fees paid to Registrars in England were enormous, and altogether out of proportion to the sums allowed in Ireland. Last Session, a County Court Act was passed for Ireland, under which it was provided that no Registrars should be appointed. But, on its being found that it was impossible to carry on the business of the Courts without such officers, the Government yielded, and consented to appoint them. But how were they to be paid? Seeing the large fees which were charged in England, it would naturally be supposed that the Irish Registrars, competent men as they must be, would have a fair and proper salary given them. The Government, however, gave no salary. After preventing the increased jurisdiction of the Courts being taken advantage of for some time, owing to their refusing to appoint Registrars, the Government said such officials might be attached to the Courts, but that the remuneration should be two or three guineas a-day for those days actually devoted to Court work. The result was, that the County Court Act was almost a dead letter in Ireland, owing to the shabby conduct of the Government towards the Irish—conduct which strangely contrasted with the proceedings in England. He was glad to hear the Attorney General say that he considered payment by salary the proper mode to remunerate Registrars; and he would take the liberty of suggesting to the hon. and learned Gentleman that, if in any measure he proposed such a plan for England, he should treat Ireland in the same way. Everyone admitted that it was of the utmost importance that the Irish County Court Act should be made popular as soon as possible; but, up to the present, everything had been done to make it almost inoperative.

Mr. PARNELL said, the Treasury took all the fees in Ireland, whereas in England £300,000 were voted by Parlia ment to pay Registrars of the County Courts; besides which, probably, as much again was paid them out of the Court fees. This was very unfair to the Irish officials, and unless some alteration was made next year, he should mark his sense of such conduct by moving to strike out the whole Vote for English Registrars.

Sir HENRY SELWIN-IBBETSON said, the hon. Member for Meath had fallen into an error in supposing that the English Registrars had salaries and fees as well. The fees would be found charged as extra receipts to the Exchequer, and these receipts were larger than the expenses—£414,000 coming from County Court work, and £67,800 from Bankruptcy business.

Mr. MURPHY desired an explanation of the increase in the charge for stationery in the County Courts. He observed that £19,000 was asked for this year, as against £14,700 last year.

Sir HENRY SELWIN-IBBETSON said, the increase of stationery represented the increased work in the County Courts.

Sir ANDREW LUSK expressed the pleasure he felt at having heard the Attorney General say he would endeavour to deal with the question of payment to Registrars. The County Courts were of great advantage to the smaller classes of litigants, and everything should be done to make them both efficient and popular.

Mr. PARNELL did not understand the answer which the hon. Baronet gave to him as to the payments to English Registrars.

Sir HENRY SELWIN-IBBETSON said, the Registrars paid by salaries had those salaries calculated on the scale of work done. Those salaries were covered by the fees, and though the scale might be altogether wrong, he desired to point out that double payments were not made, as the hon. Member for Meath seemed to suppose.

Mr. PARNELL thought Registrars had a direct sum as salary, and a percentage on the fees. ["No, no!"] He could not see how it was otherwise, when they were told that the net salary of a Registrar did not exceed £700 a-year; whereas the hon. Member for Newcastle (Mr. J. Cowen) had stated that the Registrar of the Manchester County Court had £2,768 a-year, and the Registrar of the Birmingham County Court, £3,566. He could not see how they could have so much, unless the salaries were augmented by fees.

Mr. HERMON said, the whole question of payments to Registrars was under the consideration of the Committee on the three County Courts Bills which had been introduced into the House. He thought the whole subject might be discussed when the Committee reported.

Mr. J. COWEN explained, that the figures he had quoted appeared in a Return made to the House last year.

Vote *agreed to.*

(11.) Motion made, and Question proposed,

"That a sum, not exceeding £4,068, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Office of Land Registry."

Mr. WHITWELL said, he was sorry to have to propose a reduction of the Vote. This Registry had now been established for several years, but little or no business had been transacted in the Court. Very few deeds had been registered, very few titles had been rendered indefeasible, and what had been done was done merely for the benefit of a few individual landowners. The whole amount received to the credit of this Court during the year was £995 5*s.* 6*d.*, and yet the expenditure was no less than £5,418. The time had arrived when the Committee ought to express its opinion as to the undesirability of continuing at a constant expense a scheme which had proved to be an utter failure. He begged to propose to reduce the Vote by £4,422 15*s.* 6*d.*, which was the difference between the amount of the expected receipts and the sum expended.

The CHAIRMAN pointed out that there was a certain inconvenience in proposing to reduce the Vote by that particular sum, and he suggested that the hon. Member should propose to reduce the Vote by some other sum, so as to raise the question of principle.

Mr. WHITWELL thereupon moved to reduce the Vote by the sum of £3,000.

Motion made, and Question proposed,

"That a sum, not exceeding £1,068, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Office of Land Registry."—(*Mr. Whitwell.*)

THE ATTORNEY GENERAL (Sir JOHN HOLKER) said, the Act of Parliament relating to Land Registry was passed in 1875. It was not then expected that the benefits of a registry of title would be immediately apparent to landowners, and it was not anticipated that the measure would be at once a complete success. It was, in fact, admitted by everybody who was concerned in the passing of the Act, that some considerable time must elapse before its provisions would be appreciated by the country, and before those persons who were possessed of land would take advantage of its provisions. He would admit fully and freely to the hon. Member who had moved to reduce this Vote, that up to the present time no great amount of business had been done in the Land Registry Court. It was true that the business transacted last year exceeded to some extent the amount of business done in previous years; but still, it must be admitted that, up to the present time, the number of titles registered had been comparatively insignificant. But the question of the registration of titles was one of the greatest moment and importance. It had been discussed over and over again in Parliament. Bills had been brought forward by eminent lawyers, and some measures had been passed on the subject. Notably, a measure was passed in 1862, which was advocated by the late Lord Westbury, than whom, he supposed, there had scarcely ever appeared a man of greater power and grasp of intellect, and more capable of dealing with a subject like this. But the great difficulty lay in this point. Everybody admitted it would be an immense advantage if they could have a satisfactory and efficacious registry of titles to land. It would simplify the transfer of land, and also cheapen it to a very considerable extent. But then came this very difficult problem, with which those who agreed to the proposition he had just mentioned were obliged to deal—namely, how could an Act be framed that would provide for the effiacious registry of titles, unless they made registration of titles compulsory? That was the difficulty which had presented itself to the mind of everybody who had endeavoured to deal with this question. The desire of those who had brought forward measures on this subject was to pass an Act which would be effectual, and which, at the same time, would not be tyrannical. When Lord Westbury passed his Bill into an Act in 1862, it was thought to be a compulsory measure, but it turned out not to be so. The scheme was to elaborate. The question of boundary came in, and the scheme required a machinery which was too complicated. Whatever the reason of the defect might be, the result was that the Act was never much resorted to. It was thought, in 1875, that that Act might be very considerably improved and amended, and that a new system might be inaugurated which, without being compulsory, would do the work well. The most eminent conveyancers and other persons who had the greatest possible amount of knowledge of real property law, came to the conclusion that a measure might be enacted which would have the desired effect without being compulsory. There existed in this country the strongest objection to a measure which would compel people to register their titles, whether they liked to do so or not; because, when men had landed property, they, of course, did not wish to put on the register a title which might be defective. If their title were a good one, they could not improve it by putting it on the register; but if it were a bad title, they would, by putting it on the register, proclaim the fact to all the world. However, the Members of that House, and of the other House, who took an interest in this matter, thought they understood it better than anyone else. Accordingly, in 1875, they proposed a scheme, and introduced a Bill, which was passed into law with, he believed, the assent and approval of his hon. Friend the Member for Kendal (Mr. Whitwell). At all events, the great majority of the Members of both Houses of Parliament approved the measure, and it therefore became law. It was so complicated a measure, that he should not endeavour, on the present occasion, to explain its provisions. Indeed, he did not know whether, if he made the attempt, he should be successful; but this he knew—that no one who spoke when the Bill was being passed into an Act ever imagined that it would work efficaciously all at once. It offered certain advantages to a landed proprietor who chose to register his title. If he chose to register a title that was defeasible, that title would, in process of time, become a good title. It was thought the advantages held out by the Act to the community of landed proprietors would induce them ultimately to avail themselves of its provisions. This might—and he hoped would—eventually happen, although on this point he expressed no opinion of his own. Certainly, the provisions of the Act had already been resorted to by gentlemen who possessed a considerable portion of land, which they wished to turn into building plots. In such a case, they resorted to the provisions of this Statute, because, by doing so, they were enabled to make at once a good title to anybody who wanted to buy a little building plot, and, consequently, they got a higher price than they otherwise would for the land they offered for sale. This subject had been very recently investigated. Not many days ago, on the Motion of his hon. and learned Friend the Member for the Denbigh Boroughs (Mr. Watkin Williams), the attention of the House was drawn to it. Like many other people, his hon. and learned Friend had a plan of his own which was the very best that could be adopted, and he suggested to the Government that they should consent to the appointment of a Select Committee which should go into the matter thoroughly and ascertain whether, if they could not have a satisfactory registration of titles, it might not be possible to have a satisfactory registration of deeds. Her Majesty's Government thought it desirable that the subject should be investigated to the fullest possible extent, and agreed to the appointment of a Select Committee, which would have the benefit of all the ideas of his hon. and learned Friend the Member for the Denbigh Boroughs, and of any other Members of Parliament who might choose to go before it. That Committee had now been appointed, and he submitted to the hon. Member for Kendal that it was not quite fair, at such a time, to move to reduce the salaries of the officers who had been appointed in the Court of Land Registry. Those gentlemen, it should be remembered, had been appointed by Act of Parliament. They had left their ordinary professional pursuits to serve in these offices; and, at all events, while the matter was being considered by the Select Committee which the Government had consented to appoint, it was not very reasonable to ask the Committee of the Whole House now to reduce this Vote by £3,000, or by any other sum. If the Select Committee, after investigating the whole matter thoroughly, should arrive at the conclusion that it was useless to have a registration of titles, they would, of course, say so; and if they came to the conclusion that a registration of deeds would be effectual, it might be thought that such a scheme might be carried out by the staff which now existed in the Court of Land Registry. Indeed, he had heard that one of the gentlemen who held an office in this Court saw no difficulty whatever in carrying out, without any additional expense, a scheme for the registration of deeds, and was, in fact, in favour of such a scheme.

Mr. M'LAREN wished to call the attention of the hon. Baronet the Secretary to the Treasury to the contrast between the present Vote and that for the Registry of Deeds in Scotland. In the present case, three-fourths of the expenditure was lost, or made up by the public. In the case, however, of the Registry of Deeds in Scotland, the expenditure was £36,000, while the income was £44,000. Therefore, the landowners of Scotland paid every farthing of the expense of registration, and also a surplus of £8,000 a-year. Hon. Members from Scotland contended that the surplus was illegal, being contrary to the clauses of the Act of 1867, and that the fees ought to be reduced; but, on the present occasion, he merely desired to draw the attention of the Committee to the contrast between the English and the Scotch Vote. The lowest clerk in the English Land Registry received from £250 to £350 a-year; whereas some of the clerks in the office at Edinburgh, who had been 13 years in the Government service, got only £90 a-year.

Mr. GREGORY observed, that in England they had only a registration of titles, while in Scotland there was a registration of deeds. He believed the Scotch system worked very well, and he hoped that some evidence as to its working would be given before the Select Committee which had just been appointed to inquire into the registration of land in England. The gentlemen who held office in the Court of Land Registry possessed great abilities; but the failure had been caused by the difficulties presented by the system itself. A Royal Commission found that Lord Westbury's Act contained principles which were antagonistic to its effectual working. First of all, it required an indefeasible title—namely, one which they could force on an unwilling purchaser. It required, too, that notice should be given to every adjoining owner or occupier of land. That, of course, involved raising every possible right relating to a boundary. A fence, a ditch, a right of way, or any other right, which, perhaps, had been dormant for centuries, was immediately aroused by a notice of this description. Such a notice put a man upon his rights, and he must either litigate in defence of them, or else abandon them. Again, Lord Westbury's Act required that when a title was once placed upon the register, it should always be kept there. Consequently, if an owner wanted to cut up his land into small portions, every one of those portions must pass through the register. That process was expensive, and it constituted another objection to the registration of land. Subsequently, another Act of Parliament was passed, which provided for the registration of defeasible as well as indefeasible titles. That Act had been in operation for about four years. A certain number of titles, but not a great many, had been registered under its provisions. It should be borne in mind that although there were in this country very few titles which could be upset, yet, at the same time, there was scarcely a title which would pass a strict investigation without requiring a good deal of explanation; and all this naturally involved expense, which people did not care to incur. If it were determined to establish a registration of deeds, the existing machinery might be employed to carry it out. Of course, he could not answer for the recommendations of the Select Committee; but what he himself contemplated was that this Land Registry Office might be made the centre of a system of registration for the whole country. In conclusion, he expressed a hope that, in the circumstances, his hon. Friend the Member for Kendal would not press to a division his Motion to reduce the Vote.

MR. RAMSAY understood that the object of his hon. Friend the Member for Kendal was to point out that the Committee voted a sum of money annually for the maintenance of a Department which was practically of no use, and also to suggest the expediency of abolishing it altogether. His hon. Friend accordingly proposed that the Vote should be reduced by the sum of £3,000, in order to raise the general question. He thought the remarks of the Attorney General and of the hon. Member opposite (Mr. Gregory) were sufficient to show that unless registration was, in effect, made compulsory, past experience indicated that it was useless to continue this system of registration at all. It had often struck him that the people of England were induced to adopt a cumbrous complicated system in order to attain an end which could have been attained much more easily if they had availed themselves of the experience of other parts of the Kingdom. The Scotch system of registration of deeds was not a matter of legal obligation, but was practically compulsory, because used as a means of additional security. He could not see how there should be any hesitation in adopting a system whereby all deeds or prospective deeds should be registered. Each purchaser in that case acquiring any portion of land or real estate would register it for security, and in the case of succession to land the deed could be registered in the same way. He believed that if there were a system of registration of that nature in this country, the number of transactions would be such as to require a very large and increased establishment. They had been told that in Scotland the amount of fees collected was greatly in excess of the expenditure; but it was to be remembered that the number of transactions was much more limited than in England. He hoped, therefore, that before another year had passed, some definite proposition would be placed before the House to secure the prospective registration of all deeds.

MR. WHEELHOUSE said, in the West Riding of Yorkshire there was a system which, if the owner of the land pleased, might be used for the registration of his deed. It had the advantage of being so far compulsory, inasmuch as that if the register did not contain an account of the particular transactions to which the land was last subject, any other person who had transactions with the land subsequently might register and take priority of the person who had not registered. This registry had been in operation for a century and a-half. There was a registry in each Riding of the county, and in the case of one in the West Riding there was the additional advantage of a thoroughly well-kept index. There was no difficulty in searching, and the registry, which had practically become almost a registry for titles, was, for business purposes, nearly perfect. What was really wanted, according to his view, was rather a registry of transactions than of titles, since such registry became eventually a registry of titles also. In dealing with this question, he considered one of the first duties of the country was to take the example of the West Riding of Yorkshire.

Mr. RYLANDS remarked, that if the Vote passed it would be under protest. He did not suppose his hon. Friend the Member for Kendal (Mr. Whitwell) would press his Motion to a division. If the Vote passed that evening, it should be clearly understood that it would not be brought forward next year in the same shape. He hoped the Committee, when it came to the consideration of this matter, would deal with it in a very broad and decided way. What had been done had only been to touch the fringe of a very great question. He believed the country would not be satisfied unless there was some system of compulsory registration of titles. This would greatly facilitate the transfers of land; and he hoped that if the Committee passed the Vote that night some different system would be adopted, or that the Committee would not be pressed to pass it next year.

Sir ANDREW LUSK asked, why the Land Registry Office, which had been shown to have failed entirely in its operation, should be continued? He objected to the adoption of the Scotch system, which was well suited, no doubt, to Scotch requirements, but was not wanted in this part of the Kingdom, where there was a dislike to registration. He thought that this Office, which everyone admitted to be a dead failure, should not be continued.

Mr. MELDON thought it had been demonstrated that this system, or this attempted system, had been a failure, and that being granted, there was no use in continuing this Vote year after year. It had been said that there were other experiments to be tried in the way of registration of land, but he thought the continuance of the present system would only endanger the success of any other measure that might be produced. Large experiments had already been tried, and the system in Scotland and Ireland had been perfectly successful; but it was to be remembered that in Ireland they had a system for recording titles as well as deeds. He asked, why should the Committee continue this wanton expenditure of money in trying to keep up a system admitted by everyone to have failed? He considered the discussion of that evening would be eminently useful, and hoped his hon. Friend the Member for Kendal would go to a division, and take the opinion of the Committee as to whether this expense should go on.

Mr. WHITWELL had no intention of raising a discussion upon the question of land titles in general. It had been admitted that Lord Westbury's Act of 1867 had failed, and that the Act of 1875 was also a failure; but, as the Attorney General had pleaded for a respite only, he thought the poor Court must have it as far as he (Mr. Whitwell) was concerned, on the full understanding that execution be inflicted next year, unless it could really show such good arguments as would induce the House to continue its existence. The Attorney General had said he believed the Court was a convenience to some parties who had registered their titles; but he must say that the House did not vote money for the benefit of individuals, and, therefore, that argument was inapplicable.

Mr. M'LAREN said, there had been no failure with regard to the registration of deeds in Scotland, where the moment a man purchased property of any kind, be it great or small, it was registered; and, unless it were registered, there was no security at all, because the person who sold it to him might fraudulently go and sell it to another, and if that person who had no moral title should put it on the record, he could secure the property.

MR. BIGGAR asked if the Committee were to continue a system of spending money to the extent of £5,000 or £6,000 a-year? They had been told that the fees of the Court were very high, and that being the case, the amount of business transacted by the three clerks must be merely nominal. He thought they would be only doing their duty by doing away with the whole establishment.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(12.) Motion made, and Question proposed,

"That a sum, not exceeding £10,884, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Expenses of the Police Courts of London and Sheerness."

MR WHEELHOUSE hoped the Government would take some steps to regulate this Vote, at all events, as far as the Metropolitan district was concerned. The City of London nobly took upon itself its own expenses in this matter. He admitted that the Courts did their work thoroughly, fairly, and well; but he did not, and never could, understand upon what earthly principle the Metropolitan district was allowed to take all the expenses of stipendiary magistrates, salaries, and the providing and re-building of courts out of the Imperial fund of the Exchequer, dealing with them as a question of Imperial expense and revenue; whereas, if any one of the country districts required stipendiary magistrates, the town itself was rated for the purpose of providing both the buildings and the salaries. He thought the fairest plan would be to deal with the question of stipendiary magistrates in the country in the same way as they were dealt with in the Metropolitan districts. At all events, what was fair for one was fair for another. The present system, as regarded the country districts, was the most unfair system possible. Supposing that they had Courts and stipendiary magistrates in Leeds, they would be paid for out of the rates of Leeds; but, in the districts around London, it was a totally different thing. If it were right for one district to have this money, it was right for the other. The county districts were called upon to pay not only their local rates for this purpose, but their contribution to the Imperial Revenue for Metropolitan purposes. He thought that, in fairness, the Metropolitan ratepayers should pay for their own police courts, as was done by the ratepayers of Leeds. One thing or other was right for both; but a divided payment could not be right for either. In his opinion, the expense which appertained to the country districts for these Courts ought to be paid from the Imperial Exchequer; and he hoped the time was fast approaching when they would have but one system, and that system a fair one.

MR. WHITWELL pointed out to the hon. and learned Member for Leeds (Mr. Wheelhouse), that the Courts did not cost any money, but made a profit over the expenses, no less than £18,000 having been received as fees.

MR. O'DONNELL asked, if there were any sum included under this head, intended as a special remuneration to that police magistrate who lent himself to the sham inquiry into the case of Sergeant M'Carthy? ["Order!"]

THE CHAIRMAN: The expression used by the hon. Member for Dungarvan cannot be allowed to pass, relating, as it does, to a process of law. I, therefore, call upon him to withdraw it.

MR. O'DONNELL was not aware that the inquiry was a process of law, and could not regard it as anything but a "sham inquiry."

THE CHAIRMAN: I distinctly called upon the hon. Member for Dungarvan to withdraw the expression used. The course now taken by him is disrespectful to the Committee and inconsistent with the usage of Parliament. The hon. Member having failed to withdraw his words, I must submit the conduct of the hon. Member to the Committee.

THE CHANCELLOR OF THE EXCHEQUER: I do not know whether the Committee is competent to deal with this question, or whether it will be necessary to refer it to the House; but it is quite clear that it would be improper, if you, Sir, consider a particular expression as out of Order and not consistent with Parliamentary usage, that it should be allowed to pass. If the hon. Member for Dungarvan will withdraw the expression, which I think he must have used inadvertently, not being aware that it was not a proper Parliamentary expression, of course, we need take no further action; but if the hon. Member declines to withdraw, it will be necessary that we should move to report Progress, and submit his conduct to the House.

Mr. PARNELL felt very strongly on this point himself, and certainly agreed with the sentiment expressed by the hon. Member for Dungarvan. It had, however, been ruled to be out of Order. The people of Ireland also considered that this inquiry was of the nature described by the hon. Member. ["Order!"]

The CHAIRMAN: I must point out to the hon. Member, that he must not enter into a discussion of the merits of that question. I understood the hon. Member to rise for the purpose of speaking to a point of Order.

Mr. PARNELL thought the point of Order had already been ruled by the Chairman.

The CHAIRMAN: I laid down what I believed to be the Rule of this House with regard to the language to be used in this House. I called on the hon. Member for Dungarvan to withdraw an expression which he used, and which I considered unbecoming. The hon. Member having refused to withdraw that expression, the Chancellor of the Exchequer rose and further called upon him to withdraw. I expected that the hon. Member would at once have withdrawn that expression; but as the hon. Member for Meath rose, I presumed he was going to speak to a point of Order.

Mr. PARNELL said, the ruling of the Chairman was that it was not in Order to make that charge—namely, a charge of "sham inquiry"—against a judicial process. But the inquiry was not a judicial process. It was true that a judicial process had taken place in Dublin, but that was in the form of a coroner's inquest; but the inquiry directed by the Government was not a judicial process.

The CHANCELLOR of the EXCHEQUER: I rise to Order. I understand the question before the Committee is not what was the character of the inquiry, but whether the hon. Member for Dungarvan, having been called upon by the Chairman to withdraw a certain expression, ought or ought not to accept the ruling of the Chair, and whether the ruling of the Chair is or is not to be supported?

Mr. O'CONNOR POWER had inferred that the question of this inquiry was to have been brought forward at a later stage. With reference to the point of Order, it seemed to him that the Chairman had looked upon the expression "sham inquiry," as not merely reflecting upon the police magistrate who conducted it, but upon the Government who authorized that inquiry.

The CHAIRMAN: It is not in Order for the hon. Member to enter into a discussion on the expression which I called upon the hon. Member to withdraw, as appearing to me improperly applied to a legal proceeding conducted by a public official. I must now again call upon the hon. Member for Dungarvan to withdraw that expression.

Mr. O'DONNELL said, he had great respect for the ruling of the Chair, and the reason he objected to withdraw was that he thought the Chairman was not acquainted with the real facts of the case. Out of respect for the ruling of the Chair, he would withdraw the words "sham inquiry," and for "sham" would substitute "unreal"—the unreal inquiry. He would ask if there appeared in this Vote any special remuneration to the police magistrate who lent himself to the unreal inquiry into the death of the late Colour Sergeant M'Carthy? ["Order!"]

The CHAIRMAN: The words I ruled to be out of Order were "lent himself to a sham inquiry." It was not merely "sham inquiry" that I objected to, but the imputation cast upon a judicial proceeding by the expression that a magistrate had lent himself to a sham inquiry.

Mr. O'DONNELL: What I say now is, that it was an unreal inquiry.

The CHAIRMAN: It is not for me, but for the Committee, to say how far the explanation of the hon. Member for Dungarvan is satisfactory to the Committee.

Mr. DILLWYN asked, where and how, in the case of an hon. Member being convinced that an inquiry had been improperly conducted in any part of the country, such inquiry could be impeached except in that House?

The CHAIRMAN: The House would have abundant opportunities of censuring even the conduct of the Judges of the land by a distinct Motion to that effect. It is only my duty, as Chairman, in preserving Order in discussions in Committee, to protect, as far as I can, the Committee from any random expressions implying gross misconduct in the magistracy in the country. There is no question that any hon. Member can bring forward this matter in the form of a Motion.

Mr. HOPWOOD, with all respect to the ruling of the Chair, ventured to ask whether there were any limits to the freedom of speech with which hon. Members might debate on any subject? They found fault with the Estimates. They did not wish to do so in rude language, which would provoke retort and cause a breach of Order; but he appealed to the Chairman, for whose conduct in the Chair all had great respect, and would ask whether an Amendment, made in deference to the ruling of the Chair—respectfully, and, as he believed, unreservedly, made—was not sufficient to satisfy the dignity of the House and the Chair?

Mr. O'DONNELL wished to add, that if remuneration of this nature appeared in the Vote, he should have felt obliged to challenge the Vote, and the statement he had made had no casual reference to any official, but contained the pith of his objection to the Vote. ["Order!"]

The CHAIRMAN replied that the hon. Member for Dungarvan appeared to be under a misapprehension. Objection was taken not merely to the words "sham inquiry," but to the statement that a London magistrate had lent himself to improper and illegal inquiry. The hon. Member would, no doubt, see that the best course for him to adopt was to retract the whole expression.

Mr. SULLIVAN sympathized with the question the hon. Member for Dungarvan wished to raise. He had evidently used a phrase merely to strengthen his argument, without intending to make any remark hurtful to a public functionary. Such an idea was, no doubt, quite foreign to the mind of the hon. Member, although the words conveyed a natural inference which appeared to infringe on the amenities of debate. His hon. Friend had, therefore, better withdraw them. He himself believed the inquiry to be unreal to a certain extent. No doubt, the magistrate acted in good faith; but there were circumstances surrounding the case which made it unreal. He, however, strongly advised his hon. Friend to withdraw the words objected to.

Mr. BIGGAR considered that the hon. Member for Dungarvan was justified in using the pointed language he had employed, and he did not think anything the hon. Member had said was of sufficient importance to occupy so much of the time of the House or to give rise to a formal Vote of Censure. He was not a critical judge of peculiar modes of expression; but in this case too much had been made of the words used by his hon. Friend.

Mr. O'DONNELL: To put an end to this dispute, if you will allow me, Mr. Raikes, although I still believe you are under a misapprehension with regard to the view I should have, if necessary, developed, I beg to withdraw the whole expression.

Mr. PARNELL said, they must have an answer to the question, whether any of this Vote was to be spent in defraying the expenses of the unreal inquiry into the death of Colour Sergeant M'Carthy?

Sir HENRY SELWIN-IBBETSON replied, that this Vote covered the salaries of the police magistrates of London, and the salary of the magistrate in question was included, but there was no addition to the sum voted last year.

Mr. PARNELL asked, that when a Supplementary Vote was brought forward, whether the special amount for the expenses of this magistrate in connection with the inquiry would be indicated?

Sir HENRY SELWIN-IBBETSON: Certainly; I have nothing to conceal in this matter; and should a Supplementary Estimate be necessary—I do not think it will—the Vote will appear in its proper place.

Mr. PARNELL: Then, if no Estimate is necessary, these expenses will be paid out of some other Vote; and, if that is so, I am determined to take a division on every Vote which has any possible reference to this inquiry. It will save the time of the Committee, if the Government will let us know which Vote these expenses come under.

Mr. O'CONNOR POWER moved to report Progress. This matter had been described by the Chairman as a legal inquiry, and as the matter was an important one, he wished to know from the right hon. Gentleman the Secretary of State for the Home Department, whether he regarded the inquiry into the death of Sergeant M'Carthy as a legal inquiry or not? The magistrate went to Dublin and took evidence, but he did not take it on oath. In his opinion, they could not have a legal inquiry without evidence upon oath. He would not go an inch further until that question was answered.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. O'Connor Power.*)

Mr. SULLIVAN also would like the Secretary of State for the Home Department to state in what form the expense of the inquiry would be brought before the House. If the present time was not the proper occasion on which to discuss the matter, when would their opportunity come? He wished to be real and earnest, and would not take up the time of the Committee then, if they could have a fair and legitimate opportunity at another time.

Mr. ASSHETON CROSS said, that these Estimates were prepared before Parliament actually met, and included all the expenses thought necessary; but the question of the inquiry into the death of Sergeant M'Carthy arose afterwards, and these Estimates, therefore, had nothing to do with that inquiry. He need not say anything in defence of the magistrate appointed to make the inquiry, because he stated at the time the name of the gentleman to whom he should refer the matter, and no objection was made, or could have been made, by anyone. Of course, it was not a legal inquiry, for there was not a person in England who could have, under the circumstances, taken evidence on oath, except a special Act of Parliament had been passed for the express object. The gentleman he selected to make the inquiry was fully competent to do so, and he should be prepared to defend him when the proper time came.

Mr. O'CONNOR POWER: That clearly establishes the fact that the Chairman was incorrect in his description of the proceedings as a legal inquiry. ["Order, order!"] Yes; the Chairman described it as "a process of law," and the Secretary of State for the Home Department now says it was not a legal inquiry. ["Order!"]

The CHANCELLOR of the EXCHEQUER ventured to submit that it was impossible to conduct their Business, if their Chairman were to be subjected to such remarks. The hon. Member would see that his observations were of such a character that he ought to withdraw them.

Question put, and *negatived.*

Mr. PARNELL asked, out of what funds were the expenses of this inquiry to be paid? He did not understand how such an inquiry could be held without expense, and he wanted to know where the money was to come from?

Sir HENRY SELWIN-IBBETSON said, the Vote which was then before the Committee had been prepared before the inquiry into the death of Sergeant M'Carthy was even asked for; but that was hardly the time to discuss what the future Estimates of the Government would be. He would take care that when the proper Vote came before the Committee the matter should be shown. The present Vote did not, and could not, contain any reference to this particular matter. It referred to the salaries of the magistrates in England, and the expenses of police magistrates were charged on the Consolidated Fund.

Original Question put, and *agreed to.*

(13.) £295,190, to complete the sum for the Metropolitan Police.

Mr. DILLWYN wished for some explanation as to the increased amount of the Vote.

Sir HENRY SELWIN-IBBETSON remarked, that at first the police expenses were raised by rates, but now a portion of the cost was paid out of the National Exchequer.

Vote *agreed to.*

(14.) £870,948, to complete the sum for Police Counties and Boroughs (Great Britain).

Mr. WHITWELL had hoped that this Vote would have been modified, and that the Secretary of State for the Home Department would have been able to find time to deal with this question.

The amount asked for was an enormous sum, and the number of police in many places was far above the number really required.

Sir HENRY SELWIN-IBBETSON said, the matter had occupied the serious consideration of the Government, but the increase in the number of police arose from the centralization of the populations in large towns. The Home Office endeavoured to get the Returns of the Police from all parts of the Kingdom by the end of the October Quarter, and then a comparison was made upon which the Estimate was founded. There was, however, a natural growth of the police force, in consequence of the growth of the population in large towns; but he hoped that the system now adopted would, by degrees, bring the wants of the different districts under the control of the Home Office, and then a great saving would be effected.

Mr. J. W. BARCLAY drew the attention of the Committee to the question of the Scotch police. In many parts of Scotland there were more police than were wanted; and it was, in his opinion, a mistake, on the part of the Secretary of State for the Home Department, to regulate the number of police by the population. It was a melancholy fact that, notwithstanding the augmented grant, and the additional order which prevailed throughout Scotland, the number of policemen was steadily increasing; and that at a greater rate than the ratio of the population. It was also a remarkable circumstance, that, in the county which he had the honour to represent—Forfarshire—the inhabitants were now paying—or, at least, were paying last year—as much for the police force as they did before there was any grant given by Government at all. He desired to impress upon the Secretary of State for the Home Department the necessity of exercising a vigilant check upon the increase to which he had referred. If that increase went on at the rate it had been doing of late years, it would very soon absorb the additional Government grant, which would then, instead of being a relief to local burdens, be found to be no assistance whatever.

Sir HENRY SELWIN-IBBETSON said, he must remind the hon. Member who had just spoken that he had alluded to a case which did not appear on the Estimates at all. There was no grant given to localities in which the police had not reached a certain standard. At the same time, he thought the Committee would thoroughly agree that the proportion of one policeman to every 3,000 of the population — except in places where the people were of the most orderly character—was somewhat insufficient. As to Scotland, more applications had been received from that country itself for an increase of men than from almost any other part of the United Kingdom; and he was afraid it was in resisting some of those applications, that the Home Office had made itself a little distasteful to certain localities.

Mr. HIBBERT said, he could bear testimony to the fact that the Home Office had tried in every way to keep down the increase in the police force to which allusion had been made. From the position he held in connection with the Lancashire magistrates, he knew that those gentlemen thought they had great reason to complain of the Home Office, because of the difficulties it had placed in their way in obtaining an additional number of constables. In that case, the application for an increased force did not come from the Chief Constable of the county, or from the Government Inspector, but from the local authorities spread over various parts of Lancashire. But, while it was only fair and just to the Government to say that they had tried as much as possible to keep down the number, he desired to remark that he did not think they should lay down a rule that there should be a certain number of policemen to the population. Population differed in different portions of the country; and some districts were more orderly than others, and could do with fewer policemen.

Sir HENRY SELWIN-IBBETSON said, there was no such fixed rule as the hon. Gentleman appeared to imagine. There was a certain ratio which was regarded and acted upon as much as possible; but it necessarily varied throughout boroughs and counties.

Mr. HOPWOOD said, he did not blame the Goverment for the gradual increase which had taken place in this Vote; but he desired to point out the moral of their policy in giving a large additional grant to the police force in various parts of the country. Many hon. Members well knew—he knew perfectly well—places where, up to a certain time, the local authorities were quite content with a smaller number of police than they now possessed; but whenever the tempting bait of the Government paying half, or whatever the sum might be, was held out, Town Councils in different parts of the country said—"Oh, it does not matter now; the Government provide so much!" To people who spoke in that way must be added those timid persons who said—"Here we are, 1,000 of a population, and there are only two or three policemen to protect us." In that way, the Vote was gradually increasing under the influence of strong temptation.

Mr. ASSHETON CROSS said, there could be no doubt that, in the old days, there was a great indisposition to supply additional policemen, and many of his Predecessors had had to use strong efforts in order to school some districts up to the proper mark. When this extra Vote came into operation, it was determined that, as far as possible, the effect of the Government grant should not be in any way to increase the applications for police from the various localities throughout the country; and before he came into Office his Predecessors had forced upon local authorities the necessity of keeping up their forces to the proper standard. It was quite true that formerly it was thought there ought to be a policeman to every 1,000 of the population; but that was all past and gone. That was not the rule or standard by which the Government now acted, in any shape or form. They took into consideration, not only the population, but the area over which that population extended; and, if hon. Gentlemen opposite had only witnessed the amount of pressure which had been brought to bear, not by Inspectors, but by the localities themselves, in order to an increase of the police force, they would not only have had some idea of the amount of labour which the consideration of their applications entailed, but they would have found that the number of those applications which had been made and refused was enormous. No doubt there had been an increase in the Vote; but it was to be remembered that there had also been an increase in the population. Then, again, in former days, it was only necessary to certify to the Treasury that the police were efficient; but now there was not only a certificate of efficiency required, but a certificate setting forth that there were not more men connected with the force than was absolutely necessary. He knew one borough in Lancashire where there had been a great fight on this subject. It was suspected that the authorities of that borough were making a sudden application on account of the increased Government grant; and it was pointed out to them that, in that case, either their police force must have been inefficient before, or they were attempting to make a raid upon the Government. There had been, as he had said, a great fight; and it was only after the most strict and careful scrutiny that that borough received any increased grant at all.

Mr. MACDONALD said, he observed that in 1877-8 the Inspector of Scotland was paid £700. Now, the Estimate asked for was £850, showing an addition of £150. He should like to have some explanation in regard to this increase.

Mr. RAMSAY thought that if on no other ground than that of simple fairness, the paying of an efficient public servant in Scotland at the same rate as a similar public servant received in England amply justified itself.

Sir HENRY SELWIN-IBBETSON said, the salaries of the Inspectors in England had been raised from £750 to £850 a-year, in consequence of their having been long in the service, and of the increased amount of work which they had to perform. When that was done, the Scotch Inspector, whose duties were equally arduous, and who was equally a valuable public servant, was placed on the same footing as his English brethren. Previously, the Scotch Inspector had been in receipt of £50 less than those gentlemen.

Mr. J. W. BARCLAY, adverting to the point which he had formerly raised as to the state of matters in Scotland with regard to the police force, said, that while the local authorities were the best judges as to the number of men necessary to preserve peace and order in the different boroughs, those boroughs were much tempted to increase that number in order to obtain the Government grant. That view of the case was confirmed by the last Report of the Inspector General, who also pointed out that in some places the policemen did not get sufficient wages, and that in others their clothing might be better, and so on. All this, of course, tended to increase the cost of maintaining the force, and constituted, it might be, a mild, but still a very effective, form of compulsion. Local authorities were, practically, told—"If you do not attend to these matters we will be obliged to declare you inefficient, and you will get none of the Government grant."

MR. ROWLEY HILL remarked that the system of subventions in aid of local rates was soon bearing the fruits anticipated by those who opposed such aids by the central Government—namely, in promoting local extravagance. Formerly, when the local funds were charged with three-fourths of the cost of maintaining the police, it was difficult for inspectors to induce local authorities to provide sufficient men to render the force efficient; but now, when the Treasury paid half the cost of the police, the Home Secretary informed the Committee that it was needful to curb the disposition of the local authorities to employ an unnecessary number of police, and thereby to make a raid upon the Treasury.

Vote *agreed to.*

(15.) Motion made, and Question proposed,

"That a sum, not exceeding £332,118, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Superintendence of Convict Establishments, and for the Maintenance of Convicts in Convict Establishments in England and the Colonies."

MR. PARNELL said, that were it not that there was a Royal Commission now sitting to inquire into the whole system of the discipline, the management, and the working of the Penal Servitude Laws, and also into the desirability of instituting some independent system of inspection other than that which now existed, he should have felt it to be his duty to take a division against the whole of this Vote. He had been for several years—ever since, indeed, he first looked into the question of punishment by penal servitude, and the method of its administration—very much impressed with the strong necessity which there was for reformation. Of course, he did not intend to deny, in the slightest degree, that the subject was a very difficult one. At the same time, he could not think that the way in which the Penal Servitude Acts had been framed, or the manner in which they had been carried out, had been calculated to diminish the inherent difficulty of the whole question. Hon. Members knew that in the old times prisoners in England were exceedingly badly off—as, indeed, they were in most other countries as well. The labours of Howard were most successful in bringing about a reformation in sanitary conditions; but he ventured to think that, in some respects, the treatment to which prisoners received into those penal servitude establishments had been exposed in their own time, and within the last few years, exceeded in atrocity any to which Howard had directed his attention with so much benefit. With regard to those establishments, he had always insisted on two pressing wants—namely, the want of independent inspection, and the want of greater guarantees and safeguards, laid down by law, for the proper treatment of prisoners, and for securing them against ill-usage by the warders or other persons to whose authority they were intrusted. No one who had compared the Statutes which governed the penal servitude establishments with those which governed county and borough gaols, could have failed to notice the great difference which existed between them in those two respects—the question of inspection and the question of statutory guarantees. The reason for that was very obvious. The county and borough gaols were part of an old English system. The method in which they were managed had grown up to be an institution, and had extended itself with the institutions of the country. In fact, it was part of the local life of England. But penal servitude establishments were on an entirely different footing. They were instituted when transportation was abolished, in order that places might be found to which prisoners who were under that sentence might be sent; but, instead of the careful guarantees with which legislation had surrounded the health and good condition of prisoners in county and borough gaols, they found in the penal servitude Acts an entire absence of any such safeguards or checks. He believed it was owing to this that there had been so many instances, within their own knowledge and recollection, of horrible treatment to prisoners confined in those convict establishments. His attention had been directed to this question in a very special way; because, owing to the faulty condition of the law of this country, it was not possible for them to make any distinction in the treatment of political prisoners who were sentenced to penal servitude and the treatment of prisoners who were convicted of other crimes and offences. That being the case, it so happened that when there was any disturbance in Ireland—when there was any attempt at insurrection, however moderate its dimensions might be—there was a batch of prisoners sentenced to penal servitude for life, or for a period of years, and those prisoners were sent off to Chatham or Portland with the commonest and most ordinary convicts. That, he thought, was a great mischief. It brought discredit on the Government of the country in the first place; and, in the second place, it forced men of pure minds, who in no way required that which was designed for ordinary convicts, to undergo an amount of suffering and discipline which could do them no good, and which could only tend to brutalize them—if, indeed, such natures could be brutalized. He had seen men who had been convicted of political offences and sentenced, as the case might be, to five, seven, or ten years' penal servitude, associated with the worst criminals. The men to whom he referred were men of amiable and gentle dispositions, whom one would almost think it a pity to shut up at all, or to submit to any corrective discipline. But it so happened; and he dealt with the question as he found it. He knew—and other Irish Members knew—that men who had been convicted of political offences had to herd with murderers and wife-beaters; and any hon. Member who took part in voting money to maintain such a system as that, lent himself as an accessory to a state of things which should not exist. As he had already stated, there was a Royal Commission sitting on the whole question; and he was, therefore, content for the present year to await the result of that Commission. But there were one or two features in the present Vote which he could not pass over in silence. They were features which showed that certain individuals who were in authority over those prisoners had scandalously and shamefully carried out their trust, and that they were not really fit for the common exercise of the functions which they were supposed to perform. He observed that the salary of the Surveyor General of Prisons and Chairman of Directors was put down at £1,000, and already two Votes on account had been made. He altogether objected to the conduct of this official, and therefore begged to move the reduction of the salary by so much as had not yet been voted.

The CHAIRMAN: The hon. Member must name the precise amount by which he proposes to reduce the Vote.

Mr. PARNELL thought there had already been voted about four months' salary, and therefore he would propose to reduce the Vote by £600. He did so for this reason. Without going into the merits of the M'Carthy case, he would incidentally remark that he looked upon the Surveyor General of Prisons and Chairman of Directors as, in a considerable sense, responsible for that man's death, because he refused to forward to the proper quarter the recommendation of the medical officer of Chatham Prison that M'Carthy ought to be sent to Woking Invalid Prison. M'Carthy was consequently left at Chatham Prison, when, according to proper medical authority, he ought to have been sent to Woking.

Motion made, and Question proposed,

"That a sum, not exceeding £331,518 be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Superintendence of Convict Establishments, and for the Maintenance of Convicts in Convict Establishments in England and the Colonies."—(*Mr. Parnell.*)

Mr. ASSHETON CROSS only wished to say a few words on this matter. He quite admitted that as far as the Penal Servitude Acts were concerned, when they were first started, the whole thing was a matter of experiment. Transportation had been given up, and it was necessary to find a subsitute, and this was done by passing the Penal Servitude Acts. Those Acts had now been in existence for a considerable time, and from matters brought under his notice, he considered he was justified in allowing an Inquiry into their operation. Therefore, he appointed a Commission, and he was glad to hear the hon. Gentleman say he would not fully enter in the Acts until the Report of that Commission had been made. He believed it would be a Report drawn up with very great care; and certainly its authors were Gentlemen who were thoroughly competent to deal with the subject. He had not risen, however, so much for the purpose of making these observations, as to refer to some remarks which had fallen from the hon. Gentleman with regard to a gentleman who had long served the State in many offices, and who, he believed, had acted most thoroughly well in all he had done. He did not believe there was a higher-minded or better public servant in England than Sir Edmund Du Cane, Surveyor General of Prisons; and he (Mr. Cross) would be unworthy of his position if, for one moment, he allowed the observations of the hon. Member to pass unnoticed, and refrained from saying that a more hard-working, more humane, and more devoted public servant was not to be found than Sir Edmund Du Cane.

Mr. O'DONNELL did not wish to enter into a disputation about the humanity of the official in question, but would confine himself to referring to the remarkable error of judgment which he committed in refusing to forward to the proper tribunal the recommendation of the competent medical authority that Sergeant M'Carthy ought to be removed from Chatham to Woking. Instead of doing his duty, he left the dying man to his fate. To say the least of it, this was a serious error of judgment, and threw unpleasant light upon the manner in which that prison official discharged his duty. Therefore, just as the right hon. Gentleman felt himself compelled to get up and defend Sir Edmund Du Cane, so his hon. Friend the Member for Meath had a right to say that, in his opinion, and that of the majority of the Irish Members, this official had been guilty of conduct which called for the most earnest protest.

Mr. HOPWOOD would not refer to any particular official, for he did not pretend to say there were not as distinguished and eminent gentlemen at the head of the Convict Departments as were to be found in any other Departments of the State; but he ventured to think that their rules and regulations very often led to unfortunate results, and it was much to be regretted that they placed such a degree of irresponsible power in the hands of the warders. If a prisoner committed a breach of prison rules, however slight, and the warder complained of it, the convict was sentenced to "three days' cells;" and very often he never complained for fear of having that punishment increased. They ought to endeavour to prevent suffering of that kind, when their desire was to reform.

Question put.

The Committee *divided:*—Ayes 14; Noes 208: Majority 194.—(Div. List, No. 157.)

Original Question again proposed.

Mr. HIBBERT, before the Vote itself was agreed to, desired some explanation as to the Colonial Convict Establishments. He saw that this year the grant had been increased, which had not been the case for many years. He should like to know the cause of this increase. He had always understood that the number of persons who were in the Colonies, and who had been transported there, was gradually decreasing, and, therefore, that the grant became less every year. Now, however, he found that they were called upon to make an additional grant. His own opinion was, that the best thing they could do would be to come to some agreement with the Colony to get rid of the grant altogether.

Mr. WHITWELL would also like to draw attention to the same subject. It appeared that they had 300 prisoners in Western Australia, and their expenses amounted to no less than £31,000, or over £100 for each prisoner. For these prisoners there were no less than 14 chaplains, which seemed to be out of all proportion, especially when he found they only needed one surgeon. There were 29 warders, and the cost of superintendence was double that of victualling. He joined with his hon. Friend in hoping the Government would come to some agreement with the Colony to put an end to the annual grant.

Sir HENRY SELWIN-IBBETSON could assure the Committee this was a subject which had now for some time occupied the attention of the Home Office and the Treasury, with a view to seeing whether something might not be done to do away with this large item. The amount was being gradually reduced, and the staff diminished, because the convicts died. What was the cause of the particular increase this year he could not at present say.

Mr. PARNELL directed the attention of the Secretary of State for the Home Department to an item in the Vote for payment to a Coroner. He had always understood that a Coroner was a functionary to a great degree independent of the Government. He had never known of a Coroner being paid by the Government. He supposed this Coroner was the Coroner for the county. He received £150 from the Government for extra duties thrown upon him by reason of Dartmoor Prison being in the county. This was a most improper application of Government money, and he trusted that it would not be continued.

Sir HENRY SELWIN-IBBETSON believed that this sum represented the contribution paid by the Prison for inquests held by the county Coroner. The prison authorities did not contribute in any other way to the salary of the Coroner.

Mr. SULLIVAN said, that the money ought to be paid to the Grand Jury of the county. It was most objectionable, and even dangerous, that a Coroner, who ought to be independent, and to be able to put his finger upon, and denounce, abuses, should be in the pay of the Government, who, so to speak, owned the prisons. The money should, at all events, be paid through the rates.

Mr. ASSHETON CROSS was not at all satisfied that it was not so paid; but he very much agreed with the hon. and learned Member, and he would look into the matter.

Mr. RYLANDS pointed out that this was the only prison in connection with which there was a charge for a Coroner.

Mr. PARNELL said, he was informed, though he could not say whether his authority was a very good one —he had no reason, however, to doubt it — that at inquests in these convict prisons the juries were often composed of *employés* of contractors, tradesmen, and other persons having dealings with prisons. That was very improper, and appeared to him to indicate too much laxity in these matters. As the Secretary of State for the Home Department had said he would inquire into the question as to this Coroner's payment, he would not pursue the subject.

Mr. PARNELL said, he was sorry to trouble the Committee with another division; but he felt that he could not allow the Vote to pass without protesting once more against the conduct of one of the highest medical officers of the service. He referred to Dr. Burns. He did not wish to go into the old story of Daniel Reddin. He would only say that Dr. Burns was officer of the prison in which Daniel Reddin was tortured with a galvanic battery, to find out whether he was malingering or not. Reddin was now a confirmed paralytic, and he (Mr. Parnell) believed Dr. Burns was greatly responsible for his state. He had never found out anything to his good. He moved to reduce the Vote by the amount of Dr. Burns's salary—£450.

Motion made, and Question put,

"That a sum, not exceeding £331,668, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1879, for the Superintendence of Convict Establishments, and for the Maintenance of Convicts in Convict Establishments in England and the Colonies."—(*Mr. Parnell.*)

The Committee *divided*:—Ayes 18; Noes 213. Majority 195.—(Div. List, No. 158.)

Original Question put, and *agreed to.*

(16.) £365,409, to complete the sum for Prisons, England.

(17.) £28,037, to complete the sum for County Prisons, &c. (Great Britain).

Sir WALTER B. BARTTELOT pointed out, that the Committee was without any information about the prisons transferred. The number and names of the prisons were not given in the Estimate in the hands of hon. Members, nor were the names or numbers of the prisons that were to be given up stated. The Government must have had some difficulty in preparing correct Estimates for the present year; but the Committee ought to know the estimated cost of each gaol during the last year, so that it might have been compared with the cost of these establishments in future years. The Estimates for conveyance and escort of prisoners seemed small. He understood that the Government were going to pay the cost of conveying prisoners backwards and forwards to different gaols, and if this were so, the Estimate seemed a very low one. There was also good reason for asking how the sum of £25,000 for new buildings was going to be laid out, and upon what prisons? He also wished to know when the right hon. Gentleman (Mr. Cross) intended to give some intimation as to the time at which the different localties would be paid by the Government for the gaols they had taken over? This account might be a very complicated one; but the Government ought to give this information as soon as possible.

MR. RYLANDS thought it natural that much interest should be felt in the first Estimate under the new Prisons Act. That Act had been recommended to the House on the ground that it would lead to an important saving in the expenses of prisons, and a greater profit on prison labour. There was now some evidence to show that those who thought the Secretary of State for the Home Department too sanguine, were justified in the opinion that the public advantage anticipated from the Act was not likely to be realized. The right hon. Gentleman anticipated that he would save £50,000 a-year in the cost of prisons. On this first year, the entire saving anticipated by the Department in the most favourable circumstances was only £27,000. As expenditure in Government Departments had a tendency to increase from year to year rather than diminish, this saving was not likely to continue. Upon prison labour, the right hon. Gentleman expected to obtain a similar advantage; but as the extra receipts now estimated were stated at £60,000, the profit expected must be considerably less than £50,000. The average cost of prisoners all over the Kingdom was of great interest. It had been represented by Government as enormous under the old state of things; but he had shown that in Lancashire, prisoners were maintained at the rate of £17 per head. In 1876-7, the cost was £27 per head for all the gaols under the control of the local authorities. That included all the small gaols which were so badly conducted, as well as the large gaols conducted like those in Lancashire. The result of the change which had been made by the Secretary of State for the Home Department was, that while the average cost of each prisoner throughout the Kingdom was, prior to the passing of the Act, £27 per annum, it now amounted to £25 4*s*. He quite concurred, he might add, with the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot) as to the expediency of having much fuller information laid before the House on the subject than was furnished by the present Estimates. With regard to the Act itself, he thought if even it turned out that it worked somewhat economically, it was far from being a satisfactory measure; but he must confess that he had no great expectation, looking at the Estimates before the Committee, that it would be productive of economy.

MR. HIBBERT said, he did not wish to discuss the policy of the Prisons Act. What he had risen to suggest was, that if not inconvenient, the Government should postpone the Vote, in order that they might be in a position to give the Committee more detailed information with respect to it. It was of the utmost importance that, in dealing with the Vote for the first time, the Committee should be made acquainted with what had actually been done under the Act; but, as matters at present stood, they knew little beyond what the number of prisoners was. Now, there would, in his opinion, be great advantage in having before them a statement, showing the number of warders and officers of every description employed in connection with their prisons, and giving an account generally of the way in which those prisons were managed by the Government.

MR. ASSHETON expressed his regret that the Committee, owing to the absence of the necessary information, were not in a position to form a judgment as to whether the Government had or had not carried out those financial reforms which they promised would be the result of the passing of the Prisons' Act. He should like, he might add, to know why it was that the very onerous duties of Chairman of the Board of Directors of Ordinary Prisons and those of the Chairman of the Directors of Convict Prisons were discharged by one gentleman? So far as he could see, it would give any one person enough to do to perform the former duties properly.

MR. ASSHETON CROSS thought it was perfectly natural that the inquiries which had just been addressed to him should have been made. He would answer them as far as he was able; but it was absolutely impossible for him to furnish the detailed information which was asked for, inasmuch as the whole system of prison management was in a transition state. During the past year, 37 prisons had been closed in England, and seven or eight more would probably be closed within another month. That process, as the Committee would at once perceive, involved a change of warders and other officers, and a great many local arrangements which could not be put on paper until next year. By that time he hoped to be in a position to place the Estimates before the Committee in such a way that they would be able to ascertain for themselves what had really been done. He might observe that the Estimate which was now submitted to the Committee was less than that which had been put forward when the Prisons Act was under discussion, and next year he expected it would be found that a considerable saving had been effected under the new system. At all events, the account would be set forth as clearly as possible, so that hon. Members might form their own conclusions. He, for one, had not the slightest fear of the result. As to the new buildings which might be required, no Estimate could be given for the first year, and he might also state that arrangements were being actively made with respect to the payments for discontinued prisons. In answer to the Question of his hon. Friend the Member for Clitheroe (Mr. Assheton), he could only say that the point to which it related had been fully argued when the Prisons Bill was before the House, and that it was deemed wise to keep in view the desirability of having the authorities of the two classes of prisons amalgamated. The staffs of both were, as far as possible, being worked together to save expense; and, in order to accomplish that object, it was thought advisable that one gentleman should be the Chairman of the two Boards to which his hon. Friend alluded.

Mr. WHITWELL felt that it was out of the question that anything like detailed information could be laid before the Committee this year on the subject of the Vote. Indeed, he was surprised that so many details had already been supplied.

Mr. MACDONALD, referring to the item of £500 a-year for remuneration to the Secretary for personal services, asked what was meant by such services, of which he regretted to find mention made repeatedly throughout the Estimates.

Sir HENRY SELWIN-IBBETSON said, the personal services rendered in the present instance were connected with the organization of the new system under the operation of the Prisons Act.

Mr. PARNELL should feel it to be his duty at some future time to direct attention to the new Rules for the regulation of prisons. As to the general question he was of opinion that, perhaps, one authority would be sufficient for the management of the two classes of prisons.

Mr. ASSHETON CROSS said, that the Rules to which the hon. Gentleman referred had now been in force for some time, and that their operation was being narrowly watched by the Government, with the view of seeing whether they could not be amended. Immediately after Whitsuntide he hoped to be able to lay upon the Table Supplementary Rules for the purpose of meeting certain deficiencies which were found to exist.

Vote *agreed to.*

(18.) Motion made, and Question proposed,

"That a sum, not exceeding £183,665, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Expense of the Maintenance of Juvenile Offenders in Reformatory, Industrial, and Day Industrial Schools in Great Britain, and of the Inspectors of Reformatories."

Mr. W. HOLMS pointed out that in Scotland advantage had been taken of the Industrial Schools Act to, perhaps, a greater extent than in any other part of the Kingdom. While, however, the allowance per week for each child in England and Ireland was 5*s.*, it was only 4*s.* 6*d.* in Scotland. That, he thought, was not fair to the latter country; he believed the increased expenditure in England arose very much from the want of economical management. There was no good reason, he contended, why Scotland should be placed in that respect on a different footing from either England or Ireland.

SIR HENRY SELWIN-IBBETSON said, that the circumstances of Scotland were somewhat different from those which prevailed in England. In the former country, for instance, the children could be fed on a diet of oatmeal, which was not found to answer in this country. The cost of maintenance was, therefore, greater in the one country than in the other.

MR. RAMSAY thought the grant should either be reduced in England or increased in Scotland. There was no good reason to justify the difference which existed in the payments made for the support of industrial schools in the two countries.

MR. W. HOLMS moved that the item for those schools in England be reduced by the sum of £7,000. The question was one which he could assure the Government created a considerable amount of irritation in Scotland, where the maintenance of the children cost quite as much as in this country, though the management of the schools was more economically conducted.

Motion made, and Question proposed,

"That the Item of £103,000 for Industrial Schools, England, be reduced by the sum of £7,000."—(*Mr. William Holms.*)

SIR HENRY SELWIN-IBBETSON hoped the hon. Gentleman would not divide the Committee on the question, which, he might inform him, was under the consideration of the Government. He would remind him that these industrial schools had conferred upon the country some of the greatest benefits of modern times, and that it would be a pity that anything should be done which would interfere with their usefulness.

MR. M'LAREN ridiculed the idea that the expense of living was smaller in Scotland than in England and Ireland. Those who advanced that argument might just as well say, upon a comparison of the Northern with the Southern counties of England, that it cost more to keep an agricultural labourer in Yorkshire than it did in Devonshire. Each lived upon his earnings, which were very different. It had been proved with regard to Scotland, not that the expense was less, but only that the expenditure was ground down to a lower degree.

MAJOR NOLAN hoped that Irish Members would vote with the Scotch Members on this question, because the argument had frequently been used against the former that the cost of maintenance in Ireland was lower than in any other part of the Kingdom. That argument had been advanced with regard to the salaries of Civil servants, who were paid less in Ireland than in England; and the same contention had been made in refusing to increase the remuneration of national school teachers. It was the policy of hon. Members from Ireland to have the cost of maintenance considered, in the Estimates, as equal all over the Kingdom. He should vote with the Scotch Members, not because he wished to starve poor children either in England or in Ireland, but as a protest against the scale of maintenance being varied in different parts of the Kingdom.

MR. SULLIVAN hoped the Scotch Members would not vote at all. He understood that the promise made from the Treasury Bench was entirely satisfactory. He objected to the Vote, for the reason that they could not improve the Scotch child by pinching the toes of an English boy or girl.

MR. PARNELL said, although Scotch Members had charged Irish Members with obstruction the other night, he should support them in their objection to this Vote, because he thought they were taking a practical course in ventilating a Scotch grievance at that moment. If they felt they were not fairly treated, it was perfectly open to them to move the reduction of the Vote.

MR. RAMSAY said, that, while it might be true that the Scotch people fully appreciated all that had been said in commendation of their industrial schools, the fact of their appreciation could be no reason for the State giving them less for maintenance than was given to similar institutions in England. He had no desire to have the children pinched or starved. He deprecated any such result; but he did not think it was at all likely to follow from the reduction of the Vote. When the hon and learned Member (Mr. Sullivan) spoke of the favourable consideration promised by the hon. Baronet (Sir Henry Selwin-Ibbetson), he seemed to have forgotten that this was not the first occasion on which the subject had been dealt with in Committee of Supply. Scotchmen had before waited upon one of Her Majesty's Ministers for the purpose of pressing this claim. If it had been the first time, he would have been glad to accede to the suggestion that there should be no division; but, under the circumstances, he was not inclined to ask the hon. Member (Mr. W. Holms) to withdraw his Amendment, because they had no other means of pressing upon the Committee to place Scotland in the same position as England with regard to this question of maintenance.

Mr. FRENCH was inclined to support his Scotch Friends, because he thought they had been hardly dealt with. It was all very well to say that the Scotch child cost less; but that might be the result of better management of the schools. He hoped they would be managed in Ireland and England as well as they were in Scotland.

Sir GRAHAM MONTGOMERY would like to have a distinct assurance from the Government as to the course they intended to take, for he thought a clear case was made out that injustice had been done to Scotland. The two countries — England and Scotland — ought to be put on an equal footing. If it were understood that the Government would re-consider the question, he should be inclined to ask the hon. Member (Mr. W. Holms) to withdraw his Amendment; because a Motion to reduce an English Vote did not seem a good way to obtain a boon for Scotland.

Dr. CAMERON said, what Scotch Members wanted was equal distribution of State aid. Therefore, he did not think that a case had been made out to induce his hon. Friend (Mr. W. Holms) to withdraw his Amendment. He hoped the hon. Baronet (Sir Henry Selwin-Ibbetson) would undertake to give the matter serious consideration, and not allow it to be put off from day to day, without anything being done, which had been the case, to his knowledge, for many years.

Sir HENRY SELWIN-IBBETSON said, he had endeavoured to assure hon. Members that he would consider this question with a view, if possible, of getting rid of the grievance complained of. He could only leave it to the Committee to accept that assurance, which he now repeated.

Mr. W. HOLMS disclaimed any intention of obstructing the Business of the House, as had been suggested by the hon. Member for Meath (Mr. Parnell).

Mr. PARNELL explained, that he had made no charge of obstruction. He had merely said that the hon. Member (Mr. W. Holms) was doing that which Irish Members had been doing who had been charged with obstruction—a charge which they positively disclaimed. He had wished to imply that the hon. Member was within his right.

Mr. W. HOLMS had only said that the hon. Gentleman (Mr. Parnell) had made a suggestion implying that he had taken an obstructive course. He ventured to think that if Irish Members were as economical of the time of the House as Scotch Members, Business would proceed much more rapidly than it did. After the assurance from the hon. Baronet (Sir Henry Selwin-Ibbetson), he would not press his Amendment.

Motion, by leave, *withdrawn.*

Lord FREDERICK CAVENDISH called attention to the small contribution of the parents towards the maintenance of their children at these industrial schools. Valuable as these institutions were, their cost was very large, and the proportion paid by the parents, he found, did not amount even to one-tenth of the sum expended. Their contribution did not exceed 3*d.* a-head per week; whereas each child would have cost them from 2*s.* to 3*s.* per week if kept at home. A few years ago, attempts were made to remedy this disproportion; and he wished to know whether those endeavours had succeeded, or whether the matter was still under the consideration of the Home Office?

Sir HENRY SELWIN-IBBETSON agreed with the noble Lord as to the necessity, as far as possible, of making the parent liable for the maintenance of the child while he was at the institution; but the noble Lord was quite aware that the difficulties were very great, first, in the magistrates ascertaining the amount which the parent could contribute; and, secondly, the difficulty of collecting the contribution. In consequence of the adoption of a new system, the sum collected had considerably increased.

MR. M'CARTHY DOWNING directed attention to the item for the Training of Boys in Ships. In England there were 774 children for whom 6*s.* a-head per week was allowed, and in Scotland the number was 706, for whom the same rate of contribution was given by the State. But, so far as Ireland was concerned, not a shilling was allowed for industrial training in ships, because they had no training ship on the Irish coast. There was formerly such a ship at Kingstown, but it was removed, and remonstrances were made in consequence of its removal. Boys had to be sent a considerable distance to one of these training ships, and their parents were obliged to pay the expense of the journey. He wished to know from the Government why the ship had been removed from the port of Kingstown, and why Irish parents were denied facilities which were enjoyed by English and Scotch parents? Unless he received an explanation of this anomaly, he must move the reduction of the Vote by the sum which 6*s.* a-head per week for 774 boys would represent in the Estimates.

SIR HENRY SELWIN-IBBETSON believed that the ships in which these 774 boys were trained were at the charge of the local authorities, and the 6*s.* per head was a contribution in aid of the efforts of the local authorities. The same rule applied to Scotland. The local authorities in Ireland had not, he believed, attempted to establish this mode of industrial training. He supposed the hon. Member (Mr. M'Carthy Downing) referred to some training ships which were maintained on a totally different footing. There were three forms of industrial training—namely, the Reformatory, the Industrial School, and the Training Ship; and towards the cost of training the boys in these institutions the Government contributed, in certain proportions, towards local effort. With regard to the removal of the ship from its moorings at Kingstown, the hon. Member's Question on that point was one which his right hon. Friend the First Lord of the Admiralty (Mr. W. H. Smith) would be better able to answer. All that he could himself say on the subject was, that no Treasury grant applied to such a ship at Kingstown.

MR. PARNELL inquired when the hon. Baronet (Sir Henry Selwin-Ibbetson) proposed to report Progress?

SIR HENRY SELWIN-IBBETSON was reluctant to trespass upon the patience of the Committee, for they had been very industrious that evening; but he should like to conclude the English Votes before reporting Progress. There were two more Votes to consider.

Original Question put, and *agreed to.*

(19.) £19,456, to complete the sum for Broadmoor Criminal Lunatic Asylum.

MR. HIBBERT asked a question respecting the Extra Receipts which, in a Vote, were estimated at £5,500, to be obtained from Unions for the maintenance of Lunatic Patients. He was under the impression that all the patients in this Asylum, with perhaps a few exceptions, were criminal lunatics, and as such they should be paid for by the State, and not by the Unions. The charge made to Unions was no less than £60 for each lunatic. He wished to know whether a plan could not be adopted by which lunatics, not of a dangerous character, might be sent to the County Lunatic Asylums, where they could be retained at a cost of from £20 to £25 per head?

MR. RAMSAY complained of the excessive charge of £60 for every lunatic detained at Broadmoor, and compared it with the institution at Perth, where the cost did not exceed £28 a-head per annum. He contended that there was no reason why they should continue to support an institution like that at Broadmoor at such a high rate as £60 per head per annum; and, therefore, the right hon. Gentleman the Secretary of State for the Home Department would do well to consider the suggestion of the hon. Member for Oldham (Mr. Hibbert) as to placing the bulk of the criminal lunatics in the ordinary County Asylums. Broadmoor compared unfavourably with Perth Asylum with regard to the charges incurred in the medical department, and there was no heathier establishment than that at Perth. He did not know how long the Committee were going to vote these annual sums, in support of extravagance, which benefited neither the criminal lunatics nor the community generally. Although he attached no especial value to anonymous communications, he had received one respecting the administration of affairs at Broadmoor Asylum which was worthy of consideration, because there was a *primâ facie* case against the management of that institution. He hoped the Secretary of State for the Home Department would give the Committee some assurance that progress would be made in remedying the defects in the management.

Mr. ASSHETON CROSS said, no more females were now sent to Broadmoor. The Asylum was only used at present for the detention of males. With regard to the question of construction, he thought Broadmoor Asylum was altogether a mistake. It had been built most extravagantly, and in such a form as rendered it almost impossible to make it economically useful. When the Estimates came in on a former occasion he sent them back, with the intimation that unless they were reduced he should not present them to the House. They had accordingly been reduced by £50,000. If they amounted to the same sum this year, he should return them again. That was the only way in which he could reduce the Estimates. Unless a sufficient reduction could be effected, he thought that Broadmoor had better be turned to some other use. It would hardly be possible to keep the inmates there at as small an expense as at Perth. With reference to the item of £5,500, which represented the receipts from Unions for the maintenance of patients, he feared he could not give, at that moment, the explanation desired by the hon. Member for Oldham (Mr. Hibbert); but the sum received this year was, he believed, less than last.

Mr. HIBBERT explained the purport of his previous remarks. If the persons detained were criminal lunatics, they ought to be paid for by the State, and not by the Unions; but if the time of their imprisonment had come to an end, and they still continued lunatic, though not of a dangerous character, then they might be remitted to the Unions from which they came.

Mr. ASSHETON CROSS said, that had constantly been done.

Mr. RAMSAY had taken the trouble to visit Broadmoor Asylum, in company with a gentleman who had no superior as a judge of lunacy questions. Their opinion was that nothing in the form or construction of the building could render necessary or justifiable the great cost that had been incurred. Therefore, the sooner the Secretary of State for the Home Department submitted to the House a proposal to repeal the Act under which Broadmoor Asylum was established, the better.

Vote *agreed to.*

(20.) £18,690, to complete the sum for Revising Barristers, England, *agreed to.*

Resolutions to be reported *To-morrow;*

Committee to sit again *To-morrow.*

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL—[Bill 44.]

(*The O'Conor Don, Mr. Richard Smyth, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, Mr. Redmond.*)

COMMITTEE. [*Progress 29th May.*]

Bill *considered* in Committee.

(In the Committee.)

Mr. O'SULLIVAN reminded the Committee that they were engaged all the previous day on this Bill, and thought that the promoters would not deny that the discussion upon it was fairly conducted. But there still remained six Amendments on the Paper to be discussed, and he would ask whether it was reasonable or fair that they should be asked, after 1 o'clock in the morning, to resume the consideration of a Bill of so much importance? He believed there never was a Bill which had received so large an amount of consideration at the hands of hon. Members on both sides of the House. The promoters first secured a day for themselves, they then got two days from the Government, and they induced their Friends to give them another day—making, in all, four days, which had been solely devoted to the discussion of this Bill. Yet the hon. Members who had charge of the measure were not satisfied without attempting to force it on at that hour in the morning. He was not prepared, however, to proceed with his Amendment then, and he begged leave to move that the Chairman report Progress, and ask leave to sit again.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. O'Sullivan.*)

THE O'CONOR DON thought that his hon. Friend the Member for the County of Limerick had given the strongest possible reasons why they should proceed with the Bill. He had shown to them the great amount of time which had already been occupied in its discussion; and, therefore, he had taken away from himself and his Friends any ground whatever for objecting to making progress. It was perfectly true that the Bill had received an amount of consideration in Committee that very few measures of this character usually received. It had now been in Committee for a very long time; they had spent days and nights in its consideration; and unless the House were determined to throw away all the time that had been spent upon it, he thought it was perfectly evident that they must proceed with it even at such an hour as that at which they had arrived. The Amendments remaining on the Paper were very similar in character to those which had already been amply discussed; and, therefore, he must press upon the Committee to persevere and endeavour to get rid of the Bill once for all. He considered that when the supporters of the Bill accepted the proposal which came from their opponents, that it should be a temporary measure, they would not be met any longer with that kind of factious opposition which had detained them already so very long in the consideration of the measure.

MR. ONSLOW said, he could promise the hon. Member for Roscommon that if he intended to go on with the Bill that night, he would stay there as long as any Gentleman to oppose such a proceeding. He would appeal to the Committee whether the Chancellor of the Exchequer had not given every reasonable facility for the passing of the Bill this Session? Under these circumstances, was 20 minutes past 1 o'clock a proper hour at which to take the discussion of a measure of this vital importance? They had an ample discussion on the previous day; and although he, for one, did not think that very much progress had been made on that occasion, yet there were hon. Gentlemen opposite who thought otherwise, and he would ask them, therefore, to be satisfied, and not to press the Bill at that unearthly hour of the morning. He would appeal, in the greatest sincerity, to the hon. Member for Roscommon to postpone the further consideration of the Bill in Committee until after Whitsuntide, when he could assure him that he, as an opponent of the measure, would give every consideration to it.

MR. FRENCH was sorry to have to oppose his hon. Friend and Colleague; but he did think it was unreasonable to ask the House to proceed at that hour with any Bill which was likely to give rise to a long discussion. There were some Amendments which had yet to be moved to the Bill, the discussion of which would occupy a long time, and he was not himself prepared at that moment to say whether he would vote for or against them. He would also remind his hon. Friend and Colleague that he had that day to bring forward a Motion in reference to a subject in which Irish Members took a great interest, and that was an additional reason why they should not go on with the Bill at the present time. If they attempted to proceed, it would only end—he was going to say in a squabble, but he believed that was not a Parliamentary expression——but in a wrangle, which would hardly reflect credit upon the House.

MR. R. POWER hoped that the hon. Member for Roscommon would not refuse to listen to the appeal of his hon. Colleague. Really, the promoters of the Bill had done a great many extraordinary things; but none had been more extraordinary than the bringing on a Bill of this description at half-past 1 o'clock in the morning. If the senior Member for Roscommon consulted his own interests, and particularly his health, he would not persevere in that course. The hon. Member had a most important Motion down on the Notice Paper for that day, and he was sure that it would take him two hours to explain fully to the House the various bearings of the very delicate question that was involved. If he forced this Bill on now he would not be in a position to do justice to that question. The first clause to be discussed was one which raised the whole principle of the Bill, and which would have to be discussed at great length. If they went on with this Bill, they would get into a most unseemly scrimmage. [An hon. MEMBER: Why?] He would tell the Committee why. Because there were a number of hon. Members who were determined that the

Bill should not be proceeded with at that unseasonable hour, and they would continue to divide the House upon the Motions to report Progress, and that the Chairman leave the Chair. He was anxious that his constituents should know the opinions which he entertained on this question, and hon. Members were all aware that no reports were ever furnished to the papers of what occurred after half-past 12. He was reluctant, indeed, to waste his eloquence on the desert air. He observed that one-half the Members of the House were half asleep, and the other half ought to be asleep; and he would, therefore, really appeal to the good sense, the generosity, and the great constitutional principles which governed his hon. Friend's conduct in this matter, and ask him not to go on with the Bill at that hour of the morning. It would do no good to its supporters, and they might depend upon it that these proceedings after half-past 1 o'clock, did not tend to raise the House of Commons in the estimation of the country. He would appeal to his hon. Friend to consider this, and allow them to go home to bed quietly and soberly.

Mr. BARING thought that hon. Gentlemen who asked the hon. Member for Roscommon to give way were asking the House to stultify itself. The House had, over and over again, by large majorities, expressed a decided opinion in favour of the Bill. It was of no use for hon. Members who opposed the Bill to say that they had new arguments to bring forward. Their arguments were worn threadbare. An hon. Member had just told them that the whole principle was to be discussed, as if they had not done that *usque ad nauseam*, and had not repeatedly affirmed the principle of the Bill. Did their opponents suppose that any arguments which they might now bring forward would induce the House to retract its opinion in regard to the measure? What they were asking them to do on the present occasion was to place themselves in a position which would reflect no honour upon them either in or outside the House.

Sir JOSEPH M'KENNA hoped they would be permitted to proceed with the first Amendment, and when that was disposed of the Committee would consent to report Progress. He was by no means satisfied that his hon. Friends behind him would agree that he ought to make this proposition at the present stage; but this was not a reasonable hour at which to commence Business. He hoped hon. Members would agree that when the first clause was disposed of, Progress should be reported. If hon. Members would agree to that, he would vote against reporting Progress now, and would do his best to go on with Business.

Colonel NAGHTEN said, that on behalf of "the front Opposition Bench," as the right hon. Member for Greenwich, who took so great an interest in this Bill, was unfortunately prevented from being present, he thought that was sufficient reason for reporting Progress.

Question put.

The Committee *divided*:—Ayes 45; Noes 103: Majority 58.—(Div. List, No. 159.)

Mr. O'SULLIVAN said, he did not think it was treating the House fairly. [Several hon. Members: Go on, go on.] The new clause he had to move was as follows:—

> "Total closing not to be carried out in any town or parish in Ireland until it is first ascertained by a vote of all the householders in each parish that the majority of the people are in favour of such total closing."

He did not suppose that those who had charge of the Bill would object to that clause coming on for discussion. He expected strong support from the advocates of the Bill. It was not a Permissive Bill, because this clause would give power to allow people to prevent its coming into operation by voting against it. It was contrary to the permissive principle; but, at the same time, his clause would give power to the people to say whether the Bill should come into operation or not. If the Committee thought fit to discuss this Amendment, he would propose to the hon. Member for Roscommon that Progress should then be reported.

New Clause,—(*Mr. O'Sullivan,*)—*brought up*, and read the first time.

Major O'GORMAN: I beg to move, Mr. Chairman, that you leave the Chair. I should like the hon. Member for Roscommon to look at the Bill now and compare its present condition with what it was when he first intruduced it. At that time it was a respectable-looking baby; but, contrary to all the laws of nature, it has become an absolute abortion, and it is his own Bill; for, miserable as it is, one of the chief supporters has denied all participation in its paternity. We never will allow this measure to pass. Nothing on earth will induce us to do so; and, if it were necessary, we propose remaining here until this day month, rather than suffer the measure to become law. I beg, Sir, to move that you do leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Major O' Gorman.*)

Sir JOSEPH M'KENNA hoped the hon. and gallant Member would not persevere in the Motion that the Chairman leave the Chair. They ought not to persevere with the proposal of the hon. Member for County Limerick. They had already decided on the principle which the clause contained. The clause would allow to municipalities the right of taking themselves out of the operation of the Bill. It would be stultifying the Committee if the Committee were to give all the towns and parishes, as well as the municipalities, the power they had already refused to the latter. He had done everything he could to make the Bill a good one; but he was not going to do anything to stultify the Committee, and therefore he hoped the clause would be dealt with.

Question put.

The Committee *divided*:—Ayes 18; Noes 106: Majority 88.—(Div. List, No. 160.)

Question put, "That the Clause be read a second time."

Mr. O'SULLIVAN asked, whether it was in Order to put the Question before there had been any debate upon the clause?

The CHAIRMAN said, it was not a point of Order, and he had put the Question properly.

The Committee *divided*:—Ayes 10; Noes 115: Majority 105.—(Div. List, No. 161.)

Mr. ONSLOW begged to move that the Chairman report Progress, and ask leave to sit again. If the Chancellor of the Exchequer would look over the Division List on this proposal, on the following morning, he would find that some of his greatest supporters had voted in favour of that being done. As one of the supporters of the right hon. Gentleman, he could assure him that he should use his humble efforts to prevent the Bill from passing. The Bill should never have been brought forward at all; and, considering the opposition which it had met with, and the concessions which its promoters had made, he thought the hon. Member for Roscommon might very well have said—"The Bill is not the same as that which I first introduced, and therefore I will withdraw it." He should endeavour to thwart the measure in all its future stages; and he appealed to hon. Gentlemen whether, in all these circumstances, it was advisable to go on with the Bill? Why cumbereth it the Session? Why not cut it down at once? Why ask hon. Members to stop up, night after night, discussing it, instead of allowing them to get home peaceably to their beds?

The CHANCELLOR of the EXCHEQUER said, he certainly felt, with his hon. Friend who had just spoken, that it was a very good thing to get to bed; but he desired to point out to the hon. Gentleman, and to other hon. Members, what the position of the Government was with respect to the Bill, and what had happened in regard to it. The Bill was one which, in its original form, was adopted by a very large portion of Members from Ireland, and by a majority in the House. The Government felt themselves unable to accept the measure in the form in which it was thus presented; but, having regard to the manner in which it was supported, they undertook to consider it, and to propose certain Amendments which, if they were accepted by its promoters, would induce them to give such facilities as they reasonably could for the further progress of the Bill. Well, the Bill was introduced; the Amendments proposed by the Government were accepted; and the measure had been gone on with since that time. It had been very fully discussed, and discussed, no doubt, at considerable inconvenience to some hon. Members. He mentioned that as a proof that, at all events, a large number of hon. Gentlemen were anxious to carry the Bill. He did not say that there was any undue interference with the proceedings of the House, when hon. Gentlemen sat up night after night for the purpose of promoting a certain measure; but their doing so certainly showed that they took a deep interest in the Bill which was under consideration. Well, the advocates of this measure had not only accepted the Amendments which had been originally proposed by the Government, but they had also accepted a very important Amendment which his right hon. Friend (Mr. Lowther) had advised them to adopt, limiting the operation of the Act to a certain number of years. Under these circumstances, and having arrived at this stage, he did not think that anyone could fairly find fault with the promoters of the Bill for endeavouring to conduct it in such a manner as they considered best. On the one hand, he was afraid that he was not in a position to offer them very much in the way of facilities; and, on the other hand, he did not feel that he had any right to interfere with their liberty of judgment as to the way in which they should proceed with the Bill in its remaining stages. He would suggest, if he might, to hon. Members who intended to propose new clauses or Amendments that, instead of delaying, it would be more reasonable on their part to move those clauses or Amendments at the present stage, so that the opinion of the Committee might at once be taken upon them. Or, if they did not do so now, they might reserve to themselves the right of doing it on Report. He certainly thought it was not at all to be wondered at that the promoters of the Bill, having gone through so much, and having been supported by a large number of Members in bringing the measure to the point which it had now reached, should be anxious to proceed with it and to carry it forward.

Sir JOSEPH M'KENNA deprecated the adoption of such a course as that of merely proposing dilatory Motions to the effect that the Chairman should report Progress, or that the Chairman should leave the Chair. At the same time, he hoped that, after the Amendment which stood next on the Paper had been dealt with, the hon. Member for Roscommon (the O'Conor Don) would consent to Progress being reported.

Mr. SHAW said, that so far as he was concerned he was disposed to make a concession to the hon. Member for Roscommon, if the hon. Gentleman would make a concession to him. At the same time, he did not hesitate to say that the hon. Member had acted very fairly in making concessions during the progress of the Bill, and he did not think that, in that respect, the opponents of the measure had any ground whatever for complaint. He had an Amendment on the Paper; but he was perfectly willing to withdraw it at the present stage, and bring it up on Report, if the hon. Gentleman could give him any assurance that Report would come on at such a time that the proposition could be fairly discussed. It had been said, however, that Report would be put down for the first day after the Whitsuntide Recess, and that he regarded as quite unreasonable. Those for whom he spoke had no wish to prolong discussion on the Bill. They could now do but little good by sitting up in the House night after night and debating it. The only two Amendments of any consequence which remained to be disposed of, were that of which he had given Notice and that which the hon. Member for Westmeath (Mr. P. J. Smyth) had placed upon the Paper with regard to compensation; and, as he had already indicated, if any assurance could be given in respect to time, he would be willing to reserve his Amendment until the Report.

Mr. ONSLOW said, he desired to ease the minds of any hon. Members who might be troubled with reference to the Report. It was his intention to move, when the Report came on, that it should be considered that day three months. He considered that it was quite unjustifiable to ask the Committee to continue sitting at that hour of the morning (10 minutes past 2 o'clock), for the purpose of endeavouring to make some progress with the Bill.

Mr. J. LOWTHER hoped that the hon. Member who was in charge of the Bill would, when he thought of the interests which were at stake, see his way to affording an assurance that due Notice would be given, in order that there might be a fair discussion on Report.

The O'CONOR DON said, he could not really understand these appeals which were made to him. An appeal had been made to him on a previous occasion, to the effect that if he consented to make this a temporary measure, further opposition to it would be withdrawn. ["No!"] He had consented to the principle of the Amendment which had been proposed in that direction; but he had only done so to find that, instead of the concession having any effect, he now met with the same opposition as before. His hon. Friend talked of his naming a day for the Report, as if he had at his disposal the remaining days of the Session. The day when the Report might be taken was not a matter within his discretion. He could not, except by consent, bring it on after half-past 12 o'clock; but, the Bill having met with such persistent and consistent opposition, its promoters had no other resource open to them than that of endeavouring to take advantage of whatever chance they could get. Hon. Gentlemen could stop Report being proceeded with after the hour he had mentioned; and they knew what likelihood there was, until the Government gave the promoters of the Bill another day, of it coming on at an earlier hour. In these circumstances, he could only tell his hon. Friends distinctly that, whenever he found an opportunity of bringing it forward, he should feel obliged to take advantage of that opportunity. What good, however, could possibly result from these constant wrangles in the early hours of the morning? So far, the concessions which he had made had not had the slightest effect in reducing the opposition to the Bill; and, at the present moment, he did not know that there was any real offer before him. If his hon. Friends would say that they would allow the Bill to pass through its remaining stages, and be reported to the House, then that would be some ground for asking him not to take advantage of every chance which might be afforded him of getting on with the measure; but, so far as he understood, there was no such proposal before him or the Committee.

MR. J. LOWTHER said, that while he had suggested at a previous Sitting that the operation of the Act should be limited to a certain number of years, he had done so upon the merits of the proposition itself, and not in connection with any supposed understandings or agreements respecting other portions of the Bill, of which he had no cognizance, and which were not then before the Committee. As to the remarks that had just been made respecting the fact that he (Mr. J. Lowther) had not taken part in the last, or, in fact, it might have been added, all the recent divisions, he must enter a protest against the doctrine it was attempted thus to lay down—namely, that by the granting of facilities in respect of time which the Government had loyally carried out, they were bound, also, to record their votes in favour of a Bill for which they were in no sense responsible; and he must emphatically protest that he could not be expected to be attached to the triumphal car of the hon. Member for Roscommon at all hours of the morning, and to walk through the Lobbies in constant divisions upon a measure of which he had frequently expressed his disapproval. With regard to the proposal of the hon. Member for Cork (Mr. Shaw), he did not understand that hon. Gentleman to wish any specific day mentioned for consideration of the Report on the Bill. What he understood the hon. Member to object to was a particular day on which he did not think the Report ought to be taken up; and that was the first day after the Recess. It would be unreasonable to expect the hon. Member for Roscommon to name a day when the Report would be dealt with. That hon. Gentleman had not command of the time or the arrangements of the House.

MR. SHAW said, he had intended to point out that it was not advisable to take the Report before the expiration of a certain period. There would be but a short Recess; Irish Members had long distances to go, and they had a good deal of business to attend to within a limited period.

MR. SULLIVAN said, he had exerted himself on the previous day with the hon. Member for Roscommon in order, if possible, to meet the views of the more reasonable section of the opponents of the Bill; but now, whenever a compromise was suggested, the latter hon. Gentlemen appeared to be desirous of having it all their own way. There were surely two sides to a compromise; and if the supporters of the Bill mentioned a day, as a matter of fact, before which the Report would not be taken, would there be an undertaking given, on the part of its opponents, that the threat of the hon. Member for Guildford (Mr. Onslow) would not be carried out? If no such undertaking were forthcoming, and if the advocates of the measure were to be met with implacable opposition, there was no course open to those who supported the Bill except to push the measure forward by every means in their power, and thereby vindicate their own self-respect and the position and honour of the House.

MR. SHAW could only say what he had said before; and, in doing so, he spoke for himself alone. As far as his Amendment went, he was now willing to take it off the Paper and to bring it on upon Report, and he would strongly recommend other hon. Members to adopt a similar course. At such an hour as that it did not appear to him that there was any prospect or possibility of discussing Amendments with any degree of satisfaction.

MR. ONSLOW said, that the remarks which he had made appeared to have been somewhat misunderstood. All he had intended to say was that it was his purpose to oppose the Bill on Report.

MR. DICKSON suggested that the opponents of the measure should allow the Bill to pass through Committee that night, on the understanding that the discussion on the remaining new clauses should be taken on the Report, and that the Report itself should not be proceeded with before the 17th of June. On such an understanding as this, the measure might now be reported *pro formâ*.

MR. J. LOWTHER said, he regarded the proposal of the hon. Member as very reasonable, and he hoped that it would be agreed to.

MR. ONSLOW said, that on the distinct understanding that those who objected to the Bill would have an opportunity of opposing it on Report, he asked leave to withdraw his Motion for reporting Progress.

Motion, by leave, *withdrawn*.

Bill *reported;* as amended, to be considered upon *Monday*, 17th June.

Mr. Sullivan

TENANT RIGHT (IRELAND) BILL.

(*Lord Arthur Hill-Trevor, The Marquess of Hamilton, Mr. Mulholland, Captain Corry, Mr. Chaine.*)

[BILL 31.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

MR. MACARTNEY said, that this measure was one of great importance to Ireland. He had given Notice of two new clauses which it was his intention to move; but the Committee could not be expected to discuss them at that late hour. Moreover, the Irish Members had all left the House under the impression that the noble Lord who had charge of the Bill did not intend to bring it on. Under these circumstances, he hoped that the noble Lord would allow Progress to be reported.

SIR SYDNEY WATERLOW also trusted that the Committee would agree to Progress being reported. He had two Amendments to bring forward which really touched the principle of the Bill.

Committee report Progress; to sit again upon *Tuesday* next.

WAYS AND MEANS.

Resolution [May 29] *reported*, and *agreed to.*

Instruction to the Committee on the Consolidated Fund (No. 3) Bill, That they have power to make provision therein pursuant to the said Resolution.

House adjourned at half after Two o'clock.

HOUSE OF LORDS,

Friday, 31*st May*, 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Highways (South Wales) * (98); Poor Law Amendment Act (1876) Amendment * (99); Monuments (Metropolis) (No. 2) * (100); Local Government Provisional Orders (Artizans' and Labourers' Dwellings) * (101); Public Health (Scotland) Provisional Order (Lochgelly) * (102); Truro Bishopric * (103).

Second Reading—Telegraphs (77).

Report—Acknowledgment of Deeds by Married Women (Ireland) * (87).

Third Reading—Contagious Diseases (Animals)* (88), and *passed*.

THE GERMAN NAVY—DESTRUCTION OF THE IRON-CLAD "DER GROSSER KURFÜRST."—QUESTION.

EARL DE LA WARR asked the noble Lord who represented the Admiralty in that House, Whether he could give their Lordships any information as to the reported loss of a German ironclad?

LORD ELPHINSTONE: I am sorry not to be in a position to give a full statement of details with regard to this unfortunate loss to the German Navy. The facts are simply these—The German iron-clad Squadron, consisting of the *Preussen*, *König Wilhelm*, and *Grosser Kurfürst*, left Wilhelmshavn on the evening of the 29th instant, for Plymouth, *en route* to the Mediterrranean. The Squadron was observed passing Dover at 8.45 A.M.; and at 9.50 A.M., when about seven miles S.S.W. of Folkestone, a collision took place between the *König Wilhelm* and the *Grosser Kurfürst* in the endeavour to avoid a collision with a merchant vessel. The *Grosser Kurfürst* appears to have sunk at once, and the *König Wilhelm* to have been severely damaged. The Coastguard at Folkestone and Sandgate rendered immediate assistance; and, on the unfortunate occurrence being reported to the Admiralty, orders were sent to Portsmouth for the *Lord Warden* and *Hercules* to proceed to Folkestone at full speed to assist the *König Wilhelm*, and a powerful tug was also ordered from Sheerness for the same object. The Coastguard officers reported that between 180 and 200 of the crew have been saved, and about 300 lives lost. Orders have been sent to Portsmouth for dock accommodation to be prepared for the *König Wilhelm*, and she is now on her way to that port. She is reported to be making water fast. The *Grosser Kurfürst* is like our *Monarch;* tonnage, 6,663; guns, four 10-inch Krupp, in two turrets. The *Konig Wilhelm* is a broadside iron-clad frigate; tonnage, 9,425; guns, 26 Krupp.

THE LATE EARL RUSSELL.

QUESTION. OBSERVATIONS.

EARL GRANVILLE: My Lords, if it be not regarded as presumptuous in one who for 40 years was politically connected with the late Earl Russell in Parliament, I would ask a Question of which I have given private Notice to the noble Earl the First Lord of the Treasury. It is, Whether Lord Russell's political and personal claims are such that the public would not be unwilling to make some recognition of the services of so distinguished a statesman whose name has so long been associated with the political history of the country? I have reason to believe that Her Majesty's Government, sympathizing with that feeling, have anticipated the purpose of my inquiry, and that there have been some communications—I do not know precisely what they have been—with the family of the deceased Earl. Perhaps the noble Earl the First Lord of the Treasury will state to the House what has been the nature of those communications, and what has been their result?

THE EARL OF BEACONSFIELD: My Lords, Her Majesty, and Her Majesty's Government, felt they were only expressing the general feeling of the nation, when they offered that the interment of that great statesman whom we have lost should be public, and that he should be buried in the shadow, as it were, of that venerable Abbey where in youth he was educated, and where the greater part of his eminent career was passed. It was, of course, impossible to come to any decision on the subject without making ourselves acquainted with the feelings of his family, and with the desire, were it expressed, of the departed himself. I will not say I regret it, because I am sure the result has been brought about by sentiments and considerations with which we must all sympathize, and which all of us must respect; but, within the last few minutes, I have been authoritatively informed that the widow of this illustrious man declines the public mark of the veneration of the Nation, in consequence of the express declaration in the will of Earl Russell that he should be buried with his family and ancestors at Chenies, in Buckinghamshire.

TELEGRAPHS BILL—(No. 77.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR, in moving that the Bill be now read a second time, said, its object was a simple one—namely, to determine the rights of the Post Office in respect of the establishment of telegraphic lines on undertakings authorized by special Act of Parliament, to lay down regulations in respect of compensation and fine for injury to telegraphic lines of the Post Office, and to provide for other such matters. He thought it right to bring in the Bill, in consequence of a wish expressed in their Lordships' House last year that such legislation should be embraced in a general Act rather than in special clauses of particular Acts of Parliament.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

TRURO BISHOPRIC BILL [H.L.]

A Bill to make provision respecting the foundation of a Dean and Chapter for the Bishopric of Truro, and the transfer to the Cathedral Church of Truro of a Canonry in the Cathedral Church of Exeter; and for other purposes connected therewith—Was *presented* by The Lord Bishop of LONDON; read 1ª. (No. 103.)

PRIVATE BILLS.

Ordered, That the time for the Second Reading of any Private Bill brought from the House of Commons, limited by the Order of the 4th day of February last to the 11th day of June next, be extended to the 18*th day of June* next.

House adjourned at half past Five o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 31*st* *May,* 1878.

MINUTES.] — PRIVATE BILL (*by Order*) — London Bridge, withdrawn*.

PUBLIC BILL—*Select Committee—Report—* Merchant Seamen* [No. 205].

QUESTIONS.

NAVY—NAVIGATING OFFICERS.

QUESTION.

MR. SAMPSON LLOYD asked the First Lord of the Admiralty, Whether any (and if any, what) steps have been taken or are in contemplation to do justice to the old navigating officers of the Royal Navy, now that the navigating duties have been thrown open to all executive officers, and thus young navigating sub-lieutenants become on promotion the seniors of navigating staff captains and commanders, under whom such lieutenants had only recently served and acquired the knowledge of their duties.

MR. W. H. SMITH: Sir, I am hardly able to admit that the old navigating officers are suffering under the injustice suggested in this Question. No right or privilege has been taken away from them, and the Admiralty is careful not to place old navigating officers under the command of young officers who have been subordinate to them as navigating officers before promotion. The case of the navigating officers is now under consideration, and the interests of the older navigating officers will be duly considered.

COMMISSIONERS OF NATIONAL EDUCATION (IRELAND)—AGRICULTURAL MODEL SCHOOLS.—QUESTION.

MR. RICHARD POWER asked the Chief Secretary for Ireland, If he is aware that the Commissioners of National Education in Ireland have discontinued several of the Agricultural Model Schools throughout Ireland, and advertised for sale the buildings and farms used for the purposes of agricultural instruction; and can he state under what circumstances and for what reasons such course has been taken by the Commissioners?

MR. J. LOWTHER: Sir, this is a subject which does not come within the jurisdiction of the Irish Government, as sales of the farms have been carried out by the National Board of Education, under instructions from the Treasury. This course is in accordance with the Treasury Departmental Committee, of which the hon. Member for Whitby (Mr. W.H.Gladstone) acted as Chairman, which inquired into the National Board during the years 1873 and 1874. With regard to the reasons which are advanced for these sales, I may say that these farms were originally instituted for the purpose of affording instruction in good farming throughout the country. The expectation that they would effect that object, unfortunately, has not been fulfilled, and the scheme, having proved a failure, has been abandoned.

INDIA—THE FINANCIAL STATEMENT.

QUESTION.

MR. ARTHUR MILLS asked the Under Secretary of State for India, Whether it will be possible to submit to the House his annual Financial Statement at an earlier period of the Session than has been usual in former years?

MR. E. STANHOPE, in reply, said, that at the present moment it would be impossible for him to say when the state of Public Business would admit of his introducing the Indian Budget. He was sorry not to be able to give a more definite answer; but he might remind the hon. Gentleman that twice during the present Session there had been full and very interesting discussions on Indian Finance.

ADMIRALTY AND WAR OFFICE RE-ORGANIZATION BILL — CLERKS OF ROYAL ENGINEER DEPARTMENT.

QUESTION.

SIR HENRY HAVELOCK asked the Secretary to the Treasury, Whether Civil Clerks of the Royal Engineer Department are to be included as regards superannuation in the terms offered to War Office Clerks; and, if not, if he will state on what grounds those clerks are deemed not to form a branch of the War Office, nor to come under the operation of the Superannuation Act?

SIR HENRY SELWIN-IBBETSON: Sir, the clerks of the Engineer Department are not included in the Admiralty and War Office Re-organization Bill. The circumstances of the reduction in the Engineer Department are wholly different from those in the two Offices named in the Bill. The number of clerks in the Engineer Department to be reduced is comparatively small, and the retirement, in their case, will not be compulsory. Even had it been otherwise, the scale of compensation would certainly not have been applied to them. The unit of extra compensation was fixed with reference, among other things, to the loss of prospect which compulsory abolition of office entailed, and it does not follow that the same unit would be adopted for an Office in which the maximum pay is £270, as in one the maximum of which is £800.

THE GERMAN NAVY — DESTRUCTION OF THE IRON-CLAD "DER GROSSER KURFURST."—QUESTION.

CAPTAIN PIM asked the First Lord of the Admiralty, Whether any detailed information had been received respecting the loss of the German iron-clad "Grosser Kurfürst?"

MR. W. H. SMITH: Sir, I am sorry to say that the news which has appeared in the newspapers with regard to the loss of a fine German ship this morning in the Channel, is correct. The German iron-clad Squadron, consisting of the *Preussen*, *König Wilhelm*, and *Grosser Kurfürst*, left Wilhelmshavn on the evening of the 29th instant, for Plymouth, *en route* to the Mediterranean. The squadron was observed passing Dover at 8.45 A.M.; and at 9.50 A.M., when about seven miles S.S.W. of Folkestone, a collision occurred between the *König Wilhelm* and the *Grosser Kurfürst* in an endeavour to avoid a collision with a merchant vessel. The *Grosser Kurfürst* appears to have sunk at once, and the *König Wilhelm* to have been severely damaged. The Coastguard at Folkestone rendered immediate assistance; and, on the unfortunate occurrence being reported to the Admiralty, orders were sent to Portsmouth for the *Lord Warden* and *Hercules* to proceed to Folkestone at full speed to render assistance. The tug *Sampson* was also ordered from Sheerness for the same object. The Coastguard officers report that between 180 and 200 lives have been saved, and about 300 lost. A dock will be ready at Portsmouth, and the *König Wilhelm* is on her way to that port making water fast.

ORDERS OF THE DAY.

* * *

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

UNIVERSITY EDUCATION (IRELAND).

RESOLUTION.

THE O'CONOR DON, in rising to call attention to the condition of University Education in Ireland, and to move—

> "That in the opinion of this House, the present condition of University Education in Ireland is most unsatisfactory, and demands the immediate attention of Parliament with the view of extending more generally and equally the benefits of such education,"

said, he thought that no apology was needed either for the subject to which he desired to direct the attention of the House, or for the mode in which he asked the House to express its opinion. As a rule, he was not an advocate of abstract Resolutions; but he felt that, from various circumstances, it was necessary for him to raise the question in that form. The Resolution characterized the present condition of Irish University education as most unsatisfactory, and probably no hon. Member would maintain that it was satisfactory; for, if it were so, the conduct of previous Parliaments and Governments would have been wholly unjustifiable. During the last 20 years, there had been scarcely a Government in Office that had not practically admitted that the condition of University education in Ireland was unsatisfactory, and required to be dealt with. Within his own Parliamentary memory, he had seen three successive Governments attempt to deal with the question, and admit that it was one that required to be dealt with. If all the attempts and failures in connection with the question were taken into account, they would, he thought, show that if there were difficulties in dealing with it, it at all events required to be taken into consideration. In order to prove that the grievance existed, he need not go further back than the date of the speech of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) in introducing his Irish University Bill. All who heard that speech were carried away by its magic eloquence, and it was believed that the great master mind which had settled the Irish Church and Land questions was about to settle also the University question. It was never imagined that five years afterwards the question would be in precisely the same position as then. He had no desire to enter at any length into a consideration of the causes which led to the failure of the attempt made by the late Government to settle this question. He believed that in introducing their Bill they were actuated by the best intentions. The blame as to the failure of that measure had been placed on the shoulders of the Irish Roman Catholics. Those who had pursued that course were scarcely justified in the view they had thus expressed. When the Bill was introduced, they all believed that it would not only pass that House, but that it would give satisfaction to Ireland. He might say, that for some considerable time afterwards there was an intention on the part of great numbers who had hitherto advocated the cause of the Roman Catholics in this particular question to give the Bill a fair and candid support. A very great disappointment certainly did seize them when they came to consider the Bill apart from the magic eloquence with which it was introduced. When they were asked to record their votes, they were asked, in the words of his hon. Friend the Member for Oxford, to record them in favour of a measure for extending and strengthening the principle of secular and mixed education, and not in favour of removing an injustice and inequality of which they had complained. The Government later on, on that night, instead of repudiating this statement, practically endorsed it. They therefore found themselves compelled to vote against the Bill, and against a principle which could not give satisfaction to Ireland. Whether they acted wisely or foolishly, the fact still remained that the Roman Catholics of Ireland still laboured under the disadvantage and injustice. If he asked the House to consider what had since been done, what answer could be given? If must be simply "Nothing." It would be idle to imagine that the Bill of his hon. Friend the Member for Hackney (Mr. Fawcett), dealing with the constitution and government of Trinity College, could in any way be said to remove the injustice and grievances, the existence of which was admitted. He hardly thought that his hon. Friend himself would hold such an argument. If the principle involved in the Bill was carried out in practice and at once, it would not in any way meet the grievance of which he now complained. It would simply amount to establishing in Ireland another secular College and University. Nothing had been done in satisfaction of the request made in 1873. After the change in the Administration, mainly in consequence of the defeat of the measure, a feeling of despair seemed to come over the Irish people with regard to the question. The Government, which succeeded to Office mainly in consequence of the failure of their Predecessors to deal with this question, perhaps very wisely, but not very boldly, elected to leave it alone.

But grievances of the description which had been proved to exist in 1873 could not rest long without being brought before the public, and the Irish Members came to the conclusion that they ought not to bring this question before the House without being in a position to lay before the House some plan of their own. Several Governments had attempted, but had failed, to deal with the question, and they felt bound to lay before the Government some scheme which would meet the requirements of the case. Accordingly, the hon. and learned Member for Limerick (Mr. Butt) was requested to take the matter up and to lay a scheme before the House. There were few men in Ireland more capable of dealing with this subject than his hon. and learned Friend, who was himself a distinguished member of the University of Dublin, and who thoroughly understood what University education ought to be, and also what the Roman Catholics of Ireland might justly claim. His hon. and learned Friend placed before the House the year before last, in a most convincing speech, a Bill which proved that he had given to its consideration all the force of his great mind. Certain Amendments having been made, the Bill was again introduced last year, when a very interesting debate took place; but the Government objected to the Bill, without giving any indication of their own intentions on the subject, and it was summarily rejected. In these circumstances, what course was open to the Irish Members but the one he now ventured to ask the House to adopt? To introduce such a Bill again, or any other Bill, would be merely trifling with the subject, and the Irish Members were determined that this question should not any longer be trifled with. They were determined that if equality be not established by recognized institutions of which the public could conscientiously avail themselves, it must be established in some other way. If they were not to have concurrent endowment, they must have disendowment, and if they were not to have equality by levelling up, they must have equality by levelling down, and that resolution had already shown itself in the action of the Irish Members this Session. The action which they would feel bound to take might, perhaps, be disagreeable; but they were determined to press upon Englishmen the injustice and inequality from which they suffered. What was the condition of Irishmen in regard to University education? He would refer to the most convincing speech of the right hon. Member for Greenwich, who told them in 1873 that there were 145 Catholic students in Arts in the whole of Ireland—namely, 100 at Trinity College and 45 at the Queen's Universities; and that, although the Catholics numbered three-fourths of the population of the country, they only furnished one-eighth the students in Arts. He was quite ready to admit, in a poor country like Ireland, they might expect that a great many students would be looking to advance themselves in different professions; but the right hon. Member for Greenwich had pointed out that, taking the whole course of University training, the condition of the Irish Roman Catholics with regard to University education was of a most miserable description, there being only 784 students in all classes, compared with about 4,000 in Scotland, although the population of Ireland was nearly double that of Scotland. That was the state of affairs in 1873. But the condition of things had not improved since then, for it appeared from a Return furnished this year, that the total number of Roman Catholic students in Arts on the books of the three Universities were—Belfast, 1; Cork, 23; Galway, 24; making 48 in all; and that the number of degrees conferred upon Roman Catholic students in Arts during the past 10 years was only 72. He quite admitted that in a country like Ireland they ought not to look solely to the course of Arts in forming an estimate of the educational acquirements of the people. He therefore extended his researches to all branches of University training. And what did he find? During the past 10 years only 218 Roman Catholic students had received a degree of any description whatever in the Queen's University—that was to say, an average of about seven each year to each College. He asked the House to consider whether that was a satisfactory state of things in these Colleges, which were established expressly to meet the wants of Roman Catholic students. Coming to the purely mercantile view of the question, he would ask the House to remember that there were hundreds of young men growing up every year and passing the time when they should receive educational assistance. Who could be surprised if, seeing themselves placed at a disadvantage, as compared with Protestants, on account of their religious convictions, these young men were embittered against the institutions of the country? He believed that the refusal of that House to deal with the question in the past arose from an unreasonable fear of ecclesiastical influence. In point of fact, however, they had not succeeded in inducing the Roman Catholic youth of Ireland to go into the only institutions which they had left open to them. The end which they had in view, no doubt, was that the youth of that country should receive a University education in those institutions which hon. Gentlemen thought best, and which were conducted on principles of which they approved; but they had been trying for hundreds of years to induce the youth of Ireland to obtain their education in those places, and the result of all their efforts had been either that young men did not receive education at all in them, or that they procured it elsewhere under the most exclusively ecclesiastical control which could well be imagined. He asked any reasonable and sensible man to consider whether that was a wise course to pursue. How could hon. Gentlemen suppose that by following out such a course they would in any way weaken that ecclesiastical influence of which they appeared to have such dread? Why, the adoption of such a course was of all others that which was most calculated to defeat the ends they had in view, and, instead of leading to that independence of mind which they desired, and which they thought would be interfered with if they recognized the just wishes and claims of those of whom he spoke, would actually force upon Ireland that which they themselves thought would be disastrous to her. For centuries they had tried a system of persecution in Ireland, and endeavoured by force to separate the Irish laity from the Irish clergy. Yet the result was, that at the present day there existed no country in the world where ecclesiastical influence was so strong. It was a great mistake—a mistake which had always been made in regard to Irish education, alike in its University branch and all others—for Parliament to endeavour to protect Irish Catholics from their ecclesiastical superiors against their will, for the consequence of the attempt would be exactly opposite to that which Englishmen desired. Let the House treat the Irish Catholic laity as sensible and reasonable men; let it leave them to deal with the questions which might arise between their clergy and themselves; and in that way a feeling of independence would spring up which could never be created if they were to be treated as children. So long as that House treated them as children, they would find them a discontented, dissatisfied, and rebellious people. That was the result of the course of conduct carried on by successive Governments. The House had been impelled, by the insane fear of ecclesiastical influence, to refuse what they otherwise would grant. If hon. Members could get rid of this, the thing would be settled. He did not for a moment suppose that the Catholic Hierarchy of Ireland desired to establish a dominant or unjust influence over education, and even if they entertained such a desire, he did not believe they would be able to give effect to it. The Bishops were far too rational and sensible to desire such a thing. As a matter of fact, they had not attempted to prevent the spread of knowledge in those educational institutions over which they had absolute influence. For example, he had often heard addresses delivered by the students of the Catholic University on St. Stephen's Green, Dublin; and, if he had any fault to find with those addresses, it was that they went rather too far in the sense of independence. Undoubtedly, the Roman Catholic Hierarchy had a right to a certain amount of influence. In questions of faith and morals they had the right to interfere, and the Catholics of Ireland were determined not to send their children to any educational institution in which that right was not recognized. As an acknowledged grievance and injustice existed, it was the duty of Parliament now, just as much as it ever had been, to deal with it; and hon. Members could release themselves from the responsibility, by pointing out that a course which they deemed unwise was taken by those who formerly represented Ireland in the Imperial Parliament. The hon. Gentleman concluded by moving his Resolution.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the present condition of University Education in Ireland is most unsatisfactory, and demands the immediate attention of Parliament with the view of extending more generally and equally the benefits of such education,"—(*The O'Conor Don,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. LOWE said, that the hon. Member for Roscommon (the O'Conor Don), in his very interesting and moderate speech, had given an account of the causes which had led to the resignation of the late Government. The causes, as far as he (Mr. Lowe) understood them, were simply these. The late Government attempted to found a system of mixed University education, so that Protestants and Catholics should not be educated at different Universities. They failed in persuading the House to adopt that system, and the hon. Gentleman said that he and his Friends had some share in that result. But there was little use in dwelling on that matter now. At all events, he rejoiced and always should rejoice, that the then Government had the courage to grapple with the question. No question was more worthy of its consideration, and if they lost Office on that account, he could not imagine their losing it in a better cause.

"'Tis better to have loved and lost
Than never to have loved at all."

He had himself spoken on the subject last year; but, in order to evince, as far as he could, his hearty good-will in this matter, and his desire to see something done as far as might be in the direction in which the hon. Member wished to go, he would like to say a few words on the question before the House. He thought the case of Ireland was hardly fairly stated, when they spoke only of the difficulties of University education. The hon. Member would hardly deny that the difficulty lay deeper still, that it went lower down. University education was the completion and the finishing of the edifice, and pre-supposed that a great deal had been done before that education began. Now, one of the greatest wants of Ireland was the want of secondary education, the want of good schools throughout the country in which the youth could be trained, so that they might come properly qualified to the University. He believed that the first step, therefore, which should be taken was, not to found any new University, even if they could do it, but to lay the foundation, if it could be managed, of thoroughly good and sound secondary schools before dealing with University education. The difficulty was that those schools did not exist; and, in his opinion, there was this further difficulty, that it was almost impossible for Government directly to found them. It was with this as with other things, people worked just as they were obliged to do so, and in proportion as they were relieved from the necessity of working they neglected to work. The wise way to promote secondary education in Ireland would be, not for Government to put its hand into its pocket to found secondary schools, for the effect of that would be that those schools would rely from their foundation too much on Government support, and would become lazy and inefficient. All educational institutions throve just in proportion as they had strong motives for teaching to the best of their power. Anything they did to interfere with that motive would do great mischief, instead of promoting the end in view. That being so, what were they to do? The Motion of the hon. Gentleman was so carefully guarded and so moderately worded, that he would not have the least difficulty in voting for it, and he could not imagine that many Members of the House would have any difficulty in doing so. But he feared that voting for this Resolution would not promote very much the object in view, unless some practical plan were hit on. Last year, they had a plan that a Catholic University should be founded and endowed out of moneys received from the disestablishment of the Irish Church —he believed it was proposed that £440,000 should be appropriated to that object. He did not wish to enter into any sectarian dispute on the subject; but the hon. Member for Roscommon and his Friends must be perfectly well aware that if the present Government were ever so willing to do anything of the kind, it would be perfectly impossible to carry any such measure through the House. It would be only running their heads against a wall even more disastrously than the late Government had done. It was really not worth while arguing the question; but everyone who knew the state of feeling in England, Scotland, and a part of Ireland, must know that if any Government, constituted as this Government was, were to attempt to carry such a measure, it would be surely running upon its own destruction. Well, then, what could be done? Something, which he took the liberty of urging last year, and he apologized to the House for doing so again—it was that they should recur to what was part of the plan of the Government four years ago, that they should take so much of the plan as involved no sectarian difficulty. The late Government failed, because they tried to unite Catholics and Protestants in one system under a mixed Board. It was of little use to ask any Government either to renew that scheme, or to found out of public funds a purely Catholic University. He would not argue whether it would be good or bad to found such a University in Ireland; all he said was, that it was not in the power of that House to do so. What they should endeavour to do was to make it worth people's while to found these secondary schools, by offering such prizes and endowments as would induce parents to send their children to them. What they could not do directly, they might do indirectly. Having got rid of the difficulty of teaching, they should have an examination for young men, and Government should be willing to supply very liberally funds and rewards for those students who might have shown fair proficiency in their examinations, so that by scholarships they might be enabled to go to whatever University their parents might select for them; and, when they came to be examined for their degree, they should act with equal liberality, and give those young men, who showed that they had acquired a sufficient mastery of the subjects in which they were examined, exhibitions, or something of the kind, lasting for seven or eight years, which would enable such young men to get a fair start in life. This plan would not only be a great advantage to poor and deserving young men, but it would have another advantage almost as great, because, as soon as it was known that there were these prizes to be obtained, there would be a strong desire among the parents to have their sons thoroughly well grounded; and thus, without getting into any trouble about religion, or saying whether education in Ireland was to be mixed or not, but simply by rewarding young men, who had shown themselves to be possessed of a proper amount of knowledge, they would raise up a large class of secondary schools in Ireland. If there was any chance of hon. Gentlemen being able to work out any of their schemes for University education, he would not have troubled the House with these remarks. But, as they were going on from year to year with woeful retrospects, without a hope or a chance of anything being done, he did put it to Irish Gentlemen, whether it was not wiser to grasp what was in their reach, than to go on year after year proposing schemes that could not be granted, and mourning over grievances which it was out of their power to remedy? Surely, such a course would be wiser than to go on urging what could never be granted, and thus embittering those feelings of animosity and hatred between the two countries which had prevailed so long? No man was more anxious than he was to do what was possible for the promotion of Irish education, and no man would rejoice more sincerely to see something really practical effected without either Party obtaining a triumph over the other.

Mr. BLENNERHASSETT: No one can have heard the speech in which my hon. Friend the Member for Roscommon (the O'Conor Don) brought this question before the House without feeling that that hon. Member, representing, as he may fairly claim to do, the Roman Catholic opinion of Ireland upon it, approached the subject in a practical and moderate spirit. His object evidently was not to magnify, or to expatiate upon a grievance, but to make a solid and earnest contribution to the discussion of a question of great importance and of no little difficulty. In the same spirit, though approaching the subject from a somewhat different point of view, I am desirous, if the House will permit me, to make a few remarks. The position of the great Catholic population of Ireland in relation to this question has been clearly defined by my hon. Friend who is able to speak with all the authority of a trusted exponent of Catholic opinion. He will have performed no slight service if he has enabled the House to thoroughly grasp and comprehend the attitude of the Irish Catholic mind in relation to this matter. But the religious aspect of the question—important as it is—is only one side of it. Apart from the distinctive feelings and interests of members of the Roman Catholic Church, there are considerations involved in it which are of the utmost magnitude and importance—considerations of national welfare and advancement which appeal every whit as strongly to Protestants as to any Catholic in Ireland; considerations of liberal culture and academic reform which commend the subject to the earnest attention of every friend of education without distinction of creed or party; and considerations of freedom, of conscience, and reasonable liberty, which strike deep down to the very foundation of the principles on which our public policy is founded. With every one of these aspects of the question, the religious difficulty is mixed and intertwined. Still, it is by no means necessary to approach the subject from the point of view of any particular school of religious opinion to grasp those broad and clear principles of equal justice and respect for conscientious conviction, by the light of which alone we shall be able to see our way through the difficulties which encompass it. These difficulties have hitherto proved insuperable. One attempt, especially, to grapple with them, undertaken from the highest motives and with generous intentions, has had a disastrous result to those who staked the fortunes of an Administration on its success. It has been said since then that this is a question which no Government and no Party will venture to touch, and which is destined to remain a monument of our unwillingness or incompetence to legislate on an Irish question of first-rate importance. I cannot think that this conclusion will be adopted by Parliament or sanctioned by public opinion. The greater the difficulty the greater the glory. Many a success is only the last term of what has looked like a series of failures. It would be a reproach to the statesmanship of our time to acquiesce in the continuance of a state of things which is indefensible, mischievous, and unjust. Nor would the solution of the Irish University question be difficult if the only possible conditions of its settlement were recognized and boldly acted upon. The hon. Member for Roscommon has pointed out the effect of the existing state of University Institutions on higher education in Ireland. It is beyond dispute that the great body of Irish Roman Catholics are excluded from the intellectual and material advantages of University training and degrees, by the fact that there is no Institution in their country possessed of academic powers which is in harmony with their conscientious convictions and their sense of religious duty. The 4,141,000 Catholics of Ireland furnish, taking the average of the last few years, about 300 University students as against 1,800, or six times as many furnished by the 1,214,000 Protestants, a disproportion which would be still greater, if we were to confine the comparison to those receiving University education in its higher and stricter sense of training in Arts. I do not want to push this comparison too far. Let us only get at the facts of the case. I readily admit that from various causes it is not to be expected that the Roman Catholic population can supply University students in anything like an equal proportion with the Protestant. Too many of them are necessarily beyond the natural range of such education. All that is requisite for my argument is, that I should be able to show that the number of Roman Catholic students receiving University education is, both absolutely and relatively to the Protestants, so insignificant as to indicate the practical exclusion of their body. To anyone acquainted with the actual facts of Irish life, and having a knowledge of the condition and feelings of the people, it would be a mere waste of time to advance proofs in support of so obvious a conclusion. The right hon. Gentleman the Member for the University of Edinburgh (Mr. Lyon Playfair) has attempted, by a skilful manipulation of figures, to show that in the University-going classes of Ireland, the Catholics are to the Protestants in the proportion of about one to four. It has been pointed out, however, that in the calculation on which the right hon. Gentleman's conclusion is based, large University-going classes, in which Catholics immensely preponderate, have been omitted; and, also, that sufficient weight has not been given to the circumstance that in Ireland an unusually large proportion of candidates for University education are drawn from the ranks of the lower middle class. The actual fact, however, is that, including those who are merely receiving a professional training in law, medicine, or engineering, the Catholic students are to the Protestant, not even as one to four, but only as one to six, while among students in Arts, they are only as one to eight. The deficiency of Catholic students has been attributed to the number of young men devoted to preparation for the priesthood. But what ground have we for assuming that many of these young men would not gladly avail themselves of the advantages of regular University training, provided they were able to do so in an Institution approved of by their spiritual guides?——

DEATH OF MR. WYKEHAM MARTIN.

ADJOURNMENT OF THE HOUSE.

Sir GEORGE BOWYER: Sir, I rise to Order. A circumstance has occurred which has cast a gloom over the House. It is within the knowledge of hon. Members of the House that one of its number lies dead in the Library, and I do not think it is respectful or right, under these circumstances, to proceed further with the Business. I, therefore, beg to move that the House do now adjourn.

Mr. M'CARTHY DOWNING: I was only anticipated by my hon. and learned Friend the Member for Wexford, but in the presence of my honoured Leader the Member for Limerick (Mr. Butt) I should have thought it gross presumption on my part to rise without having consulted him; but, having done so, I feel that I am only expressing the unanimous feeling of all Irish Members present when I say that they consider this debate ought not to proceed further. However deeply interested every Irish Member must be in this Resolution of my hon. Friend the Member for Roscommon, I know, consulting my own feelings, that I can only express one sentiment on the subject. When I reflect that a Member of this House, who has been here for many years, who was highly respected by both sides, and who apparently was full of life and animation but two short hours ago, is now lying dead in one of the Chambers of the House, I think it would be a scandal before the country if we continued our Business longer, and I therefore have great pleasure in seconding the Motion.

Motion made, and Question proposed, "That this House do now adjourn."—(*Sir George Bowyer.*)

Mr. SPEAKER: I understood the hon. and learned Baronet the Member for Wexford to rise to a point of Order. The question now brought under the notice of the House does not in any way raise a point of Order. If the House thinks fit, under the painful circumstances of the present case, to adjourn, it is, of course, competent for the House to do so.

Sir GEORGE BOWYER: Then, Sir, as I am not right in putting it as a Question of Order, I will now move that the House adjourn, and I am sure that the feelings of all Members will prompt them to agree to that Motion.

The CHANCELLOR of the EXCHEQUER: I am sure that there can be but one feeling, Sir, throughout this House. We have all received a severe shock to our feelings in hearing of the fearfully sudden death of one who has been for so many years a Member of this House, and who has won the respect, and, indeed, the affection of all hon. Gentlemen who have had the privilege of friendship with him. I have known my late hon. Friend for many years, and I can truly say that there was no Member more thoroughly deserving of the respect and sympathy of this House. I, of course, am naturally anxious to take any step which might show what I feel to be the sense of the House under such circumstances; and I should not have hesitated at the beginning of the evening to propose the adjournment of the House, but that I felt that we were met together, not for anything of the nature of entertainment, but for Business of a serious character, which I was loath to interrupt or to appear to think unimportant. But I cannot but feel—and in this I believe I am expressing the sense of all the Members of this House, to whatever Party they belong—that this painful matter having been mentioned, the House would deem it right that we should follow the course which has been proposed by my hon. and learned Friend the Member for Wexford (Sir George Bowyer), and accede to the Motion for adjournment. Sir, we all recognize the very great importance of the question which has been raised by the hon. Member for Roscommon (the O'Conor Don). I am happy to think that there will be, at all events, an opportunity for hon. Gentlemen who are interested in that Motion to bring it on again, or to discuss the same subject on Monday, when a cognate question will be brought forward in Committee of Supply. I think it will be in accordance with the feeling of the House that we should accede to the Motion for adjournment. I hope the formal Motion to set up Supply will be agreed to on Monday; and as the Vote proposed will be the one for the Queen's Colleges, it will be so thoroughly cognate to the subject of this evening's debate, that we shall resume the consideration of the question with perfect consistency, and I think with happier feelings, and with more power to discuss the question itself than we could do at the present moment, when we are naturally agitated by what has occurred.

THE O'CONOR DON: Sir, I do not rise to say one word on the subject last alluded to by the Chancellor of the Exchequer—namely, the resumption of the debate, and whether we should continue the discussion on Monday on the Queen's College Estimates; but I could not sit silent, the Motion which we are now discussing having been made by me, when such terrible news as that of the death of my hon. Friend has been brought before the House. I have had the pleasure of his acquaintance for many years, and I can fully sympathize with the feeling which is common to all Members of this House. I need hardly say that I felt deeply shocked at the intelligence communicated to me, and I myself would have proposed that the House should adjourn, only that I felt that that was a course which ought rather to be taken by the Leader of the House; and, therefore, I thought it would have been obtruding myself on the House had I ventured to do so. The Chancellor of the Exchequer has explained the reasons which influenced him in not taking that course. I fully appreciate that feeling; and I can say, on my own behalf, and on behalf of all those interested in this question, that we would not for one moment stand in the way of the House expressing its deep sympathy and feeling at the death of a Gentleman whom we all knew and thoroughly respected, and whose loss we all so deeply deplore. Therefore, I would not offer the slightest opposition to the Motion for the adjournment; but I must refrain from expressing any opinion as to the course which should be taken for the resumption of this debate.

THE MARQUESS OF HARTINGTON: Sir, I regret that I was absent for a moment from my place when this Motion was made. I have no doubt whatever that the course which has been suggested is that which is most consistent with the feelings of every one of us; and, if it is one which can be adopted without serious inconvenience to Public Business, or to the discussion of this important question, it is one which the House will be most desirous of adopting. It appears, from the observations which have fallen from the Chancellor of the Exchequer, that it will be possible for another opportunity to be afforded to hon. Members who wish to discuss the question brought forward by the hon. Member for Roscommon; and, as it is the wish of those who will take part in the debate that this course should be adopted, I cannot conceive that there can be any objection to it. I am glad that there should have been so unanimous an expression of regret and deep feeling at the unfortunate loss which this House has to-day sustained.

Question put, and *agreed to*.

Adjourned accordingly at a quarter
before Six o'clock till
Monday next.

HOUSE OF LORDS,

Monday, 3rd June, 1878.

MINUTES.]—*Sat First in Parliament*—The Lord Hastings, after the death of his father.

PUBLIC BILLS—*Second Reading*—Gas and Water Orders Confirmation * (93).

Committee — Medical Act, 1858, Amendment (90-104).

Referred to Select Committee—Telegraphs * (77).

Third Reading—Acknowledgment of Deeds by Married Women (Ireland) * (87), and *passed.*

PRIVATE BILLS.

Ordered, that Standing Orders Nos. 72 and 82 be suspended for the remainder of the Session.

THE EASTERN QUESTION—THE CONGRESS.—MINISTERIAL STATEMENT.

THE MARQUESS OF SALISBURY: My Lords, I have to inform the House that the German Government have issued an invitation to the Signatories of the Treaty of Paris to a Congress, and that Her Majesty's Government has accepted that invitation. I will read the terms of the invitation—and I will ask your Lordships to remember that an invitation in the same terms has been sent, and has by this time been accepted, by all the other Powers, Russia included. The invitation is as follows:—

"London, June 3, 1878.

"The Undersigned, Ambassador Extraordinary and Plenipotentiary of His Majesty the Emperor of Germany, King of Prussia, has the honour, by order of his Government, to convey to the knowledge of his Excellency the Marquis of Salisbury, Secretary of State for Foreign Affairs of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, the following communication:—

"In conformity with the initiative taken by the Austro-Hungarian Cabinet, the Government of His Majesty the Emperor of Germany has the honour to propose to the Powers signatories of the Treaties of 1856 and 1871 to meet in Congress at Berlin, to discuss there the stipulations of the Preliminary Treaty of San Stefano, concluded between Russia and Turkey. The Government of His Majesty, in giving this invitation to the Government of Her Britannic Majesty, understands that in accepting it the Government of Her Britannic Majesty consents to admit the free discussion of the whole of the contents of the Treaty of San Stefano, and that it is ready to participate therein. In the event of the acceptance of all the Powers invited, the Government of His Majesty propose to fix the meeting of the Congress for the 13th of this month.

"The Undersigned, in bringing the above to the knowledge of his Excellency the Marquis of Salisbury, has the honour to beg his Excellency to be good enough to acquaint him as soon as possible with the reply of the British Government. The Undersigned avails himself of this opportunity to renew to his Excellency the assurance of his highest consideration.

"MUNSTER."

That invitation has been accepted in the following terms:—

"Foreign Office, June 3.

"The Undersigned, Her Majesty's Principal Secretary of State for Foreign Affairs, has the honour to acknowledge the receipt of his Excellency Count Münster's note of this day, inviting Her Majesty's Government to take part in a Congress at Berlin for the discussion of the stipulations of the Preliminary Treaty concluded at San Stefano between Russia and Turkey.

"The Undersigned, taking act of his Excellency's verbal intimation that the invitation has been sent in the same terms to the other Powers signatories to the Treaty of Paris, and understanding that those Powers, in accepting this invitation, assent to the terms stated in his Excellency's note, has the honour to inform his Excellency that Her Majesty's Government will be ready to take part in the Congress at the date mentioned.

"The Undersigned avails himself, &c.,

"SALISBURY."

EARL GRANVILLE: My Lords, perhaps I may be allowed to say a few words with regard to the announcement which has just been made to your Lordships' House. I shall only say for myself—and, I believe, on behalf of those behind me—that I most heartily congratulate the House, and, if they will allow me, Her Majesty's Government, on the prospect of this matter being discussed in a Congress of the European Powers. I wish to ask another Question—whether the reports are true with regard to Her Majesty's Plenipotentiaries at the Congress being the Prime Minister and the Foreign Secretary?

THE MARQUESS OF SALISBURY: Yes, my Lords, it is so.

EARL GRANVILLE: Then, I take the liberty of saying that I cannot equally congratulate Her Majesty's Government on this determination. I remember that in February, when the question of going into Congress was under discussion in this House, Lord Derby, the late Foreign Secretary, whom I regret not to see present, made a statement on the subject. We know that there are precedents for Foreign Secretaries attending as Plenipotentiaries at Congresses of an important character; but Lord Derby then stated expressly, on behalf of the Government, that the attendance of the Foreign Secretary as Plenipotentiary at this Congress would be most undesirable; he thought that, however it might be with foreign Governments, with a Parliamentary system of Government like our own, and having regard to the way in which the Government of this country is carried on, such a course would be most inconvenient. He stated that if it were adopted, the Foreign Secretary would be cut off from all communication with his Colleagues, and would have to act upon instructions which he himself would have no share in framing.—[3 *Hansard*, ccxxxviii. 45.] I entirely acquiesced in the course which

Her Majesty's Government then proposed to take; and, my Lords, it appears to me that if the objections made by the noble Earl then were valid against the appointment of the Foreign Secretary as Plenipotentiary, they are much more than doubled by the fact that two such important Members of the Cabinet as the Prime Minister and the Foreign Secretary will be absent from their posts in this country. My Lords, if the two noble Lords go to the Conference, either of two things must exist. Either—which I trust is the case—everything substantial is settled between the Powers before going into Congress; in which case there will only be details to settle—and, without the slightest disrespect to either of the noble Lords, I think that could be as well done by trained diplomatists of great experience as by two of the ablest men in England who have not the slightest experience in matters of the kind. If, on the other hand, there be anything of substance still to be settled, or if anything should suddenly arise, then the two Plenipotentiaries will either agree or disagree. It is theoretically possible that they may not agree; and in that case the Cabinet would be called on to decide without having the advantage of hearing the two noble Lords, and without either of the two noble Lords being able to bring to bear upon its deliberations that personal influence which Colleagues so distinguished must possess. If, on the other hand, they agree on any sudden emergency upon an important point—and I have seen this claimed as one of the great advantages of this plan—is the Cabinet to be left entirely outside their decision? I think, my Lords, that would be very undesirable. The other day my noble Friend behind me, who has had great experience at the Foreign Office (Lord Hammond), stated—we thought rather more broadly than was warranted—the important positions held by the Prime Minister and the Foreign Secretary in regard to the conduct of foreign affairs. The same remark applies equally to the duties, rights, and responsibilities of the whole Cabinet. I appeal to my noble Friend whether he would approve a course by which those two Ministers would be absent from this country and separated from their Colleagues, and by which those Colleagues would be placed —I say it without the slightest disrespect — somewhat in the position of ciphers in dealing with a very important question? I trust the House will pardon me for having made these remarks. I wish to ask the noble Earl whether there is any precedent for a double appointment such as this to any Congress or Conference?

THE EARL OF BEACONSFIELD: My Lords, I will admit to the noble Earl at once, on his last point, that I am not aware that there is any precedent exactly similar to the course which Her Majesty's Government are going to take. The decision of the Government on such a matter must be one which can only be arrived at after long deliberation, and also after an acquaintance with the facts in great detail, which it would be most inconvenient, at present, to introduce into a discussion before your Lordships' House. I cannot understand exactly the reasoning by which the noble Earl who has just addressed us (Earl Granville) has come to the conclusion that the absence of my noble Friend and myself from the Cabinet would reduce our Colleagues whom we have left behind to the position of ciphers, when it seems to me that the consequence of our absence would be rather to increase their importance. I can only say that we have undertaken this important and laborious task with the full concurrence and at the wish and instance of our Colleagues; and as our Colleagues feel that in taking this course we are only fulfilling their wishes, I think the noble Earl will hardly be able to persuade this House and the country that we have slighted our Colleagues, or placed them in a position in which their influence and importance may be diminished. When the noble Earl asks for a precedent, I frankly admit that I cannot furnish one; but in matters of this kind we must not be guided merely by precedents. There are considerations which are quite independent of precedents, and which must guide us in the course we have to take. In the first place, I may remark that when the Conference was first spoken of there was a general understanding that the Powers should be represented by Ambassadors of the different Courts. But that course has not been adopted in this instance. It is a fact that the chief Ministers of Austria and Germany will certainly be present at the Congress; and, as I am reminded, the chief Minister of Russia will also be present. We had, therefore, to consider that in the altered circumstances, the Government of Her Majesty should be represented in a different manner from that which was first proposed. But, my Lords, on the whole, I can only say that we feel the great responsibility of the step we are taking; that we look in these circumstances to the support of your Lordships' House and of the country; and that if we fail in our duty—if it can be shown hereafter that any failure that may occur has arisen from the mode in which the Representatives of the Government of the Queen have been selected — we shall abide the consequences which we shall certainly entirely deserve.

Earl GREY: My Lords, I concur with the noble Earl (the Earl of Beaconsfield), that these appointments are to be considered with reference to the circumstances of the time, and not entirely by the light of precedent. I also agree that they are not to be regarded as any slight upon the Colleagues of the noble Lords who have been selected as our Plenipotentiaries. But it appears to me that the noble Earl has not adverted to another general question which was raised by the noble Earl behind me. I want to know how far it is consistent with our principle of Government that the whole Cabinet is responsible to Her Majesty and to the country for every important step taken by the Government, that, in relation to foreign affairs, the Cabinet should be separated from two of its most important Members during the progress of the Congress, and that important questions which might arise during the Congress should be settled by those Colleagues without consultation with the Cabinet as a whole? I am not prepared to express any decided opinion on this point; but I think it is a very grave question, indeed, and one requiring to be carefully considered, whether the course proposed is altogether consistent with the Constitutional principles and practice of this country. Are important questions which may arise at the Congress to be decided, as far as this country is concerned, by the two noble Lords, without consulting with their Colleagues —and, especially, without verbal consultation. No doubt, there may be consultation by letter or telegram, but we all know how inadequate this is as compared to personal communication and discussion. Are decisions taken by the two Ministers in such circumstances to be binding? If they are, certainly Parliament would not have the same security which it would have if it knew that the decision was that of the Cabinet. The noble Earl said that the Members of the Cabinet in this country will have their importance increased by their being left behind. Is it possible to imagine that the Cabinet at home would overrule the decision of two such powerful Members of the Government as the Prime Minister and the Foreign Secretary? This appears to me scarcely possible, and, therefore, the course proposed to be taken by the Government does imperil the security which the Government has hitherto had. I think that questions of the deepest importance to the country should not be decided except on the collective responsibility of the whole Cabinet.

Earl GRANVILLE: I must say that my recollection does not accord with that of the noble Earl at the head of the Government, and that in the reason he gave for his change in policy his recollection deceived him. In February, on the occasion to which I have alluded, Lord Derby explained that one or two other Powers intended to take a course different from that which would be adopted by Her Majesty's Government. He said that Germany would be represented by Prince Bismarck, and Austria by Count Andrassy; but that, so far as this Government was concerned, we should not depart from the ordinary course of sending an Ambassador.

ATTEMPTED ASSASSINATION OF THE EMPEROR OF GERMANY.—QUESTION.

Earl GRANVILLE: My Lords, I now wish to put a Question, of which I have given private Notice, to the noble Marquess the Secretary of State for Foreign Affairs. It is with regard to the fearful attempt which has been made for the second time on the life of the Emperor of Germany. I wish to know, Whether Her Majesty's Government have recently received any recent information as to the state of the Emperor's health?

The Marquess of SALISBURY: My Lords, I have to say that we have had the great satisfaction of hearing from the German Ambassador that the latest accounts which have been received as to the health of the illustrious victim of this abominable attack are satisfactory. It is, of course, too soon to use any stronger language; but, from all I have heard in the matter, I trust that Europe may have the joy of soon welcoming back to perfect health one of its most respected Potentates.

THE EASTERN QUESTION—ALLEGED AGREEMENT BETWEEN ENGLAND AND RUSSIA.—QUESTION.

EARL GREY: I wish to ask the noble Marquess the Secretary of State for Foreign Affairs, Whether there is any truth in the statement which appeared in *The Globe* last Friday as to the terms agreed upon between this country and Russia?

THE MARQUESS OF SALISBURY: The statement to which the noble Earl refers, and other statements that I have seen, are wholly unauthentic, and are not deserving of the confidence of your Lordships' House.

EARL GREY: I could not suppose that what was stated in regard to the retrocession of Bessarabia was true. It appeared too monstrous to be believed that Her Majesty's Government could have made such a stipulation as was alleged.

ARMY—THE AUXILIARY FORCES—THE MILITIA ARTILLERY.—QUESTION.

LORD WAVENEY asked the Under Secretary of State for War, Whether the rule for embodiment of brigades of Militia Artillery is analogous to that adopted in regard of regiments of Militia Infantry, by retaining them in their respective districts on withdrawal of the Royal Artillery; and whether they might in the meantime be employed supplementally in arming the respective works and forts to which under the scheme of localization they were attached?

VISCOUNT BURY, in reply, said, that in the event of the Regular troops going on foreign service, they would, in many instances, be replaced at home by the Militia. The brigades of Militia Artillery would be treated on the same principle as brigades of Militia Infantry; but the noble Lord was under a misapprehension in supposing that the Militia Infantry would necessarily remain in the districts to which they belonged—they would be used to replace the garrisons of towns from which the Regular regiments were withdrawn, and the Militia Artillery would be sent to man the fortresses where necessary. The localization scheme would not apply to cases of invasion. As to the employment for the Militia Artillery suggested in the Question of his noble Friend, it was to be borne in mind that the Militia Artillery were only out for a short time, and that a large number of them were young soldiers who were engaged in learning other portions of their duty than those which had to be discharged on these works and forts. If the noble Lord wished to have his regiment of Militia employed in the manner he suggested, the course for him would be to apply to the General of the district.

MEDICAL ACT (1858) AMENDMENT BILL—(Nos. 44, 90.)

(*The Lord President.*)

COMMITTEE (ON RE-COMMITMENT).

House in Committee (on Re-commitment) (according to Order).

Clauses 1 and 2 *agreed to.*

Clause 3 (Necessity of obtaining qualifying certificate from Medical Board, and obligatory establishment of Board).

THE DUKE OF RICHMOND AND GORDON said, he had to propose an Amendment by which midwifery would be included in the examination necessary for a qualifying certificate.

Amendment *moved,* in line 23, after ("medicine and surgery,") to insert ("including therein midwifery.")

Amendment *agreed to.*

THE MARQUESS OF RIPON moved an Amendment, by which the terms for the establishment of the Medical Board was altered from the 31st December 1879, and 31st July 1880, to 30th June 1879, and 31st December 1879.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 4 (Registration of persons in medical register).

On the Motion of the Marquess of RIPON, an Amendment made, after the words "after the commencement of the joint Board system having obtained a qualifying certificate under this Act," strike out "has received a medical diploma from one of the medical authorities."

Further Amendments made.

Clause, as amended, *agreed to.*

Clauses 5 to 11 *agreed to.*

Clause 12 (Committee of Medical Council for purpose of erasure from and restoration to the register).

On the Motion of the Duke of RICHMOND and GORDON, the maximum number of the Committee was amended by leaving out ("five") and inserting ("seven.")

Other Amendments made.

Clause, as amended, *agreed to.*

Remaining clauses *agreed to*, with Amendments.

The Report of the Amendments to be received *To-morrow;* and Bill to be *printed* as amended. (No. 104.)

NAVY.—H.M.S. "EURYDICE."

QUESTION. OBSERVATIONS.

LORD DORCHESTER asked Her Majesty's Government, Whether any, and if so, what steps have been taken since a first attempt, that failed, to raise Her Majesty's ship "Eurydice," sunk off Dunnose on the 24th of March last;

Whether any consultations relating thereto, between the dockyard or other naval authorities, and whether any eminent engineers, civil or military, have been invited to give their opinions;

Also, whether any firms, such as "The Steamship Salvage Company," or other persons experienced in such matters, have been invited to afford assistance towards or to tender for raising the vessel;

And, whether there was any objection to produce any Papers relating thereto?

The noble Lord said, he believed it to be the fact that the Government had received offers to raise the *Eurydice* from private individuals of great eminence as engineers, and from several large firms, who had special appliances for raising sunken ships. One of these companies, he believed, was already under a contract for raising the *Vanguard.* The attempts made by the Admiralty and Dockyard authorities had been denounced as in no way likely to succeed, whereas the Salvage Company had raised a very large ship from the bottom of the sea within four miles of the very spot where the *Eurydice* was sunk, not on a sandy, but a hard bottom. Only four weeks before the accident to the *Eurydice*, the vessel they had raised was towed into Portsmouth harbour. He could quite understand the failure to raise the *Vanguard*, but he could not understand the failure of the authorities to raise the *Eurydice.* It was, he thought, scarcely creditable to the first Maritime Power in the world, that a ship should have been lying for 10 weeks in 10 fathoms of water, within a short distance of one of their greatest naval arsenals.

LORD ELPHINSTONE: Before answering the Question of the noble Lord, I will avail myself of the opportunity to answer a Question put to me on Friday night by the noble Lord on the Cross-Benches (Lord Oranmore and Browne) with respect to a Naval Review. There is to be no Naval Review, but the Reserve Fleet will assemble at Portsmouth this week. With regard to the Question put to me by the noble Lord now, I am not surprised at it, because I know that many persons interested are imperfectly acquainted with what is doing and has been done—are unaware of the difficulties to be overcome, and express surprise at the apparently slow progress which has been made in raising the *Eurydice.* I am very glad that the noble Lord has given me the opportunity of explaining at somewhat greater length than on previous occasions the difficulties the Naval authorities have to contend against. The Question of the noble Lord embraces four distinct subjects—namely, what steps are being taken? whether any engineers, civil or military, have been invited to give their opinions? whether any private firms have been invited to afford assistance? and whether there is any objection to produce Papers? First, with regard to Papers, there really are none except the short daily journal kept by the officer in charge of working parties. This will show better than any words of mine the difficulties which have had to be encountered. It is made up to the 29th of May, and will show that out of the 67 days since the ship sank the working parties have only been able to work during portions of 27 days, and sometimes for not more than two hours out of the 24. For 40 days they were unable to work at all on account of the weather. The divers have only been able to work 80 hours in all; and the lighters have had to slip their moorings and run into harbour for shelter no fewer than 11 times; and they had to slip again last Saturday. No objection exists in respect to laying that journal on the Table. The next Question put by the noble Lord is, whether there have been any consultations between the Dockyard or other naval authorities? I think I mentioned on a former occasion that the Admiralty decided from the first that the business of raising the *Eurydice* should be intrusted to the Dockyard authorities at Portsmouth, where there is a most efficient staff of officers, both scientific and practical, who meet in consultation almost daily. They are presided over by the Admiral Superintendent, Admiral Foley, who is assisted by the Chief Constructor, Mr. Robinson; Captain Polkinghorne, Master Attendant; Captain Batt, Master Attendant of Chatham Dockyard, who was employed for a considerable time in connection with operations at the wreck of the *Vanguard;* and Captain Datham, Captain Moss, and Captain Palmer, Staff Commanders. In fact, it would be difficult to get together a stronger or a better Board. They are all agreed in thinking that under the circumstances of the case, and with the appliances at their disposal, no plan could be adopted more likely to insure success than the one they were at present endeavouring to carry out. They are animated but by one desire, and that was to succeed, and no exertions were being spared in order to attain that result. The next Question is whether we have invited the opinion of eminent engineers, civil or military? The Admiralty have not invited the opinion of any civil engineer. The matter was one with which the scientific and the practical skill the Department have at its disposal at Portsmouth Dockyard is quite able to deal; and I very much doubt whether there is any civil engineer who has had any experience whatever in raising weights, such as that the authorities have had to deal with, under similar circumstances. I need scarcely add that it has not been considered necessary to invite the opinion of any military men. As to the Question, whether any private firms have been invited to afford assistance, I may say that, for the same reason that I have already mentioned, we have not invited the assistance of the Steamship Salvage Company, or any person experienced in raising vessels; and I am not aware that either the Steamship Company, or, indeed, any other person, has any experience whatever in raising vessels under the circumstances of the present case. There are cases of ships having been saved, and, indeed, of having been raised in smooth water and out of a strong tide-way. But there is no instance on record of a ship having been raised under circumstances similar, or in any way approaching, that in which the *Eurydice* is placed. The only case at all resembling the present is that of H.M.S. *Pincher*, a schooner of 180 tons, sunk in 14 fathoms off the Owers in 1837, and it was four months before they succeeded in getting her into Portsmouth Harbour. Of course, we have been inundated with offers. As to what steps are being taken, I have to remark that we have to deal with a dead weight of between 400 and 500 tons, lying 12 fathoms below water, in a strong tide-way, with a current running between four and six knots an hour, and with slack water varying from 30 to 90 minutes only. Indeed, it would be difficult to find a spot on the whole coast of Great Britain where greater difficulties exist—difficulties not only below on account of tide, but difficulties above water on account of tide and weather combined—for a nasty sea gets up at that spot very quickly with the slightest provocation. The *Eurydice* sank on the 24th of March, and it was not until the 27th that we were able to make an attempt to move the wreck. We did so by means of two corvettes—the *Rinaldo* and *Pearl*—which had been temporarily converted into lighters, assisted by two smaller lighters. This attempt failed, owing to the breaking of one of the hawsers; and then, after consultation, it was determined by the Board to which I have referred, to adopt what may be called the overlift principle, which simply means that instead of placing the lighters round the sunken ship as before, they will be placed immediately over her. They will be attached to the wreck by eight steel hawsers toggled through her main deck ports, and six jewel hawsers will also be passed round the ship. In addition to this, it is intended to make use of her two bower cables, and also of the Russian air bag, which has a lifting capacity of 40 tons. That will give your Lordships some idea of the difficulties to be overcome. No fewer than 16 different attachments have to be made, and an equal strain brought to bear upon them all. Should it come on to blow, or any sea gets up, they must all be slacked up, and probably let go, and the lighters would have to seek shelter in port, as they have had to do 11 times already, and the whole work have to be begun again when the weather is settled. But that is not all. It was supposed that the bottom where the *Eurydice* sank was hard ground; and so it is. There is a crust of hard ground, but below that is fine soft sand. It would appear that the ship struck the ground with great force, for her starboard cathead is knocked away, and a portion of her keel is sticking out under her stern. The result is the hard crust is broken, and the ship has been gradually settling in the soft sand. During the late gales she was settling at the rate of 2 inches a-day; but, fortunately, she is not settling any more at present, but she is 11½ feet in the sand, and out of that hole she has to be lifted and placed upon a new bed. That once done, the difficulty would be practically overcome, and, if the weather will only hold up, I hope it may soon be successfully accomplished, although I am bound to say that I no longer look upon it as a matter of certainty. We have not asked assistance of any civil or any other engineers, because the Dockyard authorities are fully equal to the task; but this I will say, that not all the eminent engineers, civil or even military, aided by the Steamship Salvage or any other private firm, could have hastened the raising of that ship by one hour. In conclusion, I have a plan of the manner in which it is sought to raise the ship, which I shall be happy to show the noble Lord.

Lord DORCHESTER asked, whether the attempt to raise her would be made to-morrow?

Lord ELPHINSTONE said, that would depend entirely on the weather.

Then, on the Motion of Lord Dorchester, Papers respecting the raising of H.M.S. "Eurydice" ordered to be laid before the House; to be *printed*, (No. 105.)

House adjourned at a quarter past Six o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Monday, 3rd *June*, 1878.

MINUTES.]—Supply—*considered in Committee —Resolutions* [May 30] *reported.*

Public Bills—*Ordered—First Reading*—County of Hertford and Liberty of Saint Alban Act (1874) Amendment * [203].

First Reading—Elementary Education Provisional Order Confirmation (London) * [201]; Contagious Diseases (Animals) * [204].

Second Reading—Endowed Schools and Hospitals (Scotland) [157].

Select Committee—Special Report—Parliamentary and Municipal Registration [No. 212].

Committee—Report—Pier and Harbour Orders Confirmation (No. 1) (*re-comm.*) * [187]; Pier and Harbour Orders Confirmation (No. 2) * [159].

Report—Parliamentary and Municipal Registration (Consolidated) * [73-202]; Parliamentary Electors Registration * [33].

Considered as amended — Consolidated Fund (No. 3) *; Conway Bridge (Composition of Debt) * [150].

Third Reading — Exchequer Bonds (No. 2) * [186]; Elementary Education Provisional Order Confirmation (Portsmouth) * [179]; Railway Returns (Continuous Brakes) * [185], and *passed.*

NOTICE OF QUESTION.

THE EASTERN QUESTION—THE CONGRESS—THE ARMENIANS.—NOTICE.

Sir JOHN KENNAWAY said, he would to-morrow ask the Under Secretary of State for Foreign Affairs, If he can give the House the assurance that in the Congress about to be held, Her Majesty's Government will undertake that the case of the Armenians shall be considered as well as that of the other Christians living under Turkish rule?

NOTICE OF MOTION.

THE "NINETEENTH CENTURY"—THE ARTICLE ON LIBERTY IN THE EAST AND WEST — (MR. GLADSTONE). — NOTICE.

MR. HANBURY gave Notice that he would take the earliest opportunity to call the attention of the House to the language of an article recently printed in a publication called *The Nineteenth Century*, which article purported to have been written by a Member of Her Majesty's Most Honourable Privy Council, lately First Lord of the Treasury, and especially to the following paragraph:—

> "In this partnership the effusion of blood will fall largely to the Indian share. But the policy will be ours. The command ours. The reward and promotion ours. India will be as much at the beck of our will as the elephants, whom, perhaps, with the aid of a little winter clothing, she may send us. We shall use her as we use a steam engine, and shall consult her just us much. She will have just as much control over the expenditure of her own blood as the locomotive over the consumption of fuel; at least, this alone will be her share, unless and until she explodes. In the disasters of our wars she will be involved. In their successes she will have no concern. We may conquer territories, but not for her. We may even impose war indemnities, but she will have no voice in determining their application; and if a portion of them should, indeed, find its way to her Treasury, it will be the bounty given to a suppliant by his landlord, not the freely and rightfully adjusted share of a common remuneration for common sacrifices and efforts. It is very much to say to India, as we have said, we will measure, raise, and direct, and you shall pay, the Army which is to defend you from the foreigner. It is now, in the light of a sublime discovery, to be said, we will raise, manage, and direct, and you shall pay, the Army which is to be kept on such a scale that, besides defending you, it shall be sufficient to add largely to our European Force, and make up for the disadvantage at which we stand in the struggle with any Continental Power. Is it possible that this can work"——

MR. MUNDELLA rose to Order. He wished to know, whether the hon. Gentleman was in Order in reading at length from a magazine article for the purpose of making an allegation against a right hon. Gentleman who was not present?

MR. SPEAKER said, he understood the hon. Member to be reading from an article on which he proposed to found a Motion. He could not, therefore, rule that he was out of Order.

MR. HANBURY continued reading—

> "Will India be content? Can India be content? Ought India to be content? In distant, and to her children ungenial, climes, in lands of usage, tongue, religion, wholly alien, the flower of her youth are to bleed and die for us, and she will have no part but to suffer and obey. This is injustice, gross and monstrous injustice; and those who are parties to its perpetration must prepare for the results to which injustice leads."

He wished to add that he would move a Resolution to the effect that, in the opinion of this House, such language on the part of a Member of Her Majesty's Privy Council was much to be condemned as unwarranted, inopportune, and calculated to create sedition in Her Majesty's Indian Empire.

QUESTIONS.

POOR LAW—SAFFRON WALDEN UNION.—QUESTION.

DR. LUSH asked the President of the Local Government Board, Whether he will state to the House the circumstances under which the Guardians of the Saffron Walden Union refused to pay the usual fee to the medical officer of No. 3 district for treating a fracture of the leg of a child of J. Wright, whose family had previously been in receipt of Poor Law medical relief; whether, in such cases of emergency, medical officers are bound to wait for a relieving officer's order or to forfeit their fee; and, if he will lay upon the Table Copies of the Correspondence between the Board and the Poor Law Medical Officers' Association upon the subject, as well as of any Report he may have received from the Poor Law Inspector of the district?

MR. SCLATER-BOOTH, in reply, said, that he had been informed by the Guardians that no relief had been given to Wright for the last eight years, and that they were of opinion that his family were not entitled to such assistance. On occasions of emergency medical officers were not bound to wait for a relieving officer's order or to forfeit their fee, but when the case was not one of emergency they were required to ask the Guardians, with whom it rested to say whether payment should be made or not. He had no objection to lay upon the Table the Correspondence on the subject.

INDIA—THE VERNACULAR PRESS ACT —THE PRESS COMMISSIONER.

QUESTION.

Sir GEORGE CAMPBELL asked the Under Secretary of State for India, If he can state what are to be the functions of the Press Commissioner lately appointed by the Government of India with the rank of a political agent of the first class; and whether the Secretary of State in Council has approved of that appointment; also, whether Papers will be laid on the Table containing the dissents on the subject by Members of the Council of India, in accordance with the provisions of the law?

Mr. E. STANHOPE: Sir, the duty of the officer appointed to superintend the working of the Vernacular Press Act is to make himself thoroughly acquainted with the legitimate wants and aspirations of the Press, to receive and reply to references and complaints from editors, to act as the referee of the Press in its communications with the Government on the one hand, and on the other as the responsible adviser of the Government in its dealings with the Press under the new law. It was also to be his duty to read and revise the proofs submitted by those editors who desire to withdraw themselves from the restrictive provisions of the law. I have laid upon the Table of the House the Papers relating to this subject, and from the last despatch it will be seen that the Secretary of State in Council has requested the Government of India to refrain from putting that portion of it into operation which relates to the examination and revision of the proofs by a Government officer. As regards the last Question of the hon. Member, the proceedings and speeches in Council have usually been treated as confidential, and my noble Friend is not disposed to regard them in any other light upon the present occasion.

Sir GEORGE CAMPBELL said, he would take the first opportunity which presented itself to move for Copies of the Papers in question.

HIGH COURT OF JUSTICE.

QUESTION.

Mr. GREGORY asked the Secretary of State for the Home Department, Whether Reports have been received from the Judicature Acts (Legal Offices) and Judges' Chambers' Committees respectively; and, if so, whether he will lay Copies of them upon the Table of the House; and, whether it is intended to fill up the present vacant office of Master of the Queen's Bench Division of the High Court of Justice?

Mr. ASSHETON CROSS, in reply, said, the Reports had been received, and would be laid on the Table of the House that evening. It was intended to fill up the vacant office referred to by the hon. Gentleman.

SALE OF FOOD AND DRUGS ACT, 1875 —VIOLET POWDER.—QUESTION.

Sir EDWARD WATKIN asked the Secretary of State for the Home Department, If his attention has been called to the alleged extensive adulteration of "Violet Powder" with arsenic, and to the consequent deaths of young persons; and what steps he has taken in the matter?

Mr. ASSHETON CROSS: Sir, this subject has been brought under the consideration of my right hon. Friend the President of the Local Government Board, and in consequence of a Report which he obtained from one of the Inspectors of the Board having been forwarded to me, I have placed the matter in the hands of the Solicitor to the Treasury.

ARMY—COLONEL WELLESLEY.

QUESTION.

Mr. J. COWEN asked the Secretary of State for War, Whether Colonel Wellesley received any salary as an Officer of the Army in addition to the salary which he received as Secretary of Embassy at Vienna; and, if so, what are the nature of the military duties which he performs at Vienna; and whether his promotion continues in the Army now that he has become a diplomatist?

Colonel STANLEY: Sir, Colonel Wellesley does not receive and will not receive any military pay. His name is still in the list of Colonels in the Army, and I see no occasion to recommend that it should be removed therefrom.

INDIA—TROOPS OF NATIVE STATES.

QUESTION.

MR. O'DONNELL asked the Under Secretary of State for India, Whether the Indian Princes entitled by Treaty to maintain troops have exceeded the force allowed to them, or whether it is the intention of the Goverment to prevent them from maintaining the number of troops allowed under the conditions of the various Treaties entered into from time to time between Indian Native States and the British Empire; and, whether the intention of the Government to forbid the armament of troops in the service of the Indian Native States with improved weapons is based upon any condition in the original Treaties forbidding the Native States to improve the equipment of their soldiers from time to time?

MR. E. STANHOPE: Sir, it is not in contemplation to interfere with the number of troops in Indian Native States as defined by Treaty guarantee. The issue of arms to troops in Native States is not in any way regulated by Treaty—it depends upon the discretion of the Paramount Power in India.

INDIA—THE MAHARAJAH OF KUCH BAHAR.—QUESTION.

MR. O'DONNELL asked the Under Secretary of State for India, Whether His Highness the Maharajah of Kuch Bahar is a voluntary visitor to this Country; whether His Highness is not still a minor; and, whether the Home Government has received any Copy of the Petition addressed by the Ranees of Kuch Bahar, the guardians of the young Maharajah, protesting against the alleged forcible removal of His Highness to England under an armed escort, and in spite of the protests of his relatives and of the religious authorities of his caste?

MR. E. STANHOPE: Sir, the Maharajah of Kuch Bahar is a minor. He is a voluntary visitor to this country, and was in no way forcibly removed to England under an armed escort. His visit to England was an object which his father had much at heart during his lifetime, and which the Maharajah himself has been determined to carry out. No copy of the Petition mentioned by the hon. Member has been received by the Home Government.

PARLIAMENT—PUBLIC BUSINESS.

QUESTIONS.

MR. CLARE READ asked Mr. Chancellor of the Exchequer, Whether, considering the backward state of Supply, and the number of Amendments to the County Government Bill, he still expects to pass that measure as well as the Cattle Diseases Bill this year; and, should any doubt exist, whether he will allow the Cattle Diseases Bill, which has already passed the Lords, to take precedence of any English measure now before the House?

THE CHANCELLOR OF THE EXCHEQUER: Sir, undoubtedly it will be a matter of interest to proceed with the Cattle Diseases Bill, and as it has already passed the House of Lords we may hope there will be plenty of time for its discussion in this House. With regard to the County Government Bill, the case is this. If the debate upon going into Committee had been concluded—as we had every reason to hope it would be—before Easter, it would have been possible, by placing certain Notices of Amendments on the Paper, to have shortened the debate and attained the same end; but, unfortunately, the preliminary discussion was not concluded. The result is that it would be impossible to go into Committee on that Bill without a renewal of the debate. In these circumstances, and looking to the fact that the Bill is one of considerable importance, and contains some provision of great novelty, and that it requires the attention not only of this but of the other House of Parliament, it does not appear probable that we shall be able to pass it this year. It ought to be remembered that the Bill is of no immediate advantage, unless two other Bills which my right hon. Friend the President of the Local Government Board has introduced —the Valuations Bill and the Highways Bill—are also proceeded with. We have, therefore, thought it better to take these two Bills before the County Government Bill. My right hon. Friend proposes on Friday to commit the Highways Bill *pro formâ*, in order to reprint it with Amendments which he hopes will facilitate its passage through the House.

MR. PARNELL: May I ask if the Irish Grand Jury Bill will follow suit?

The CHANCELLOR of the EXCHEQUER: Perhaps the hon. Gentleman will give Notice of that Question.

ROADS AND BRIDGES (SCOTLAND) BILL.

QUESTION.

Mr. RAMSAY asked Mr. Chancellor of the Exchequer, Whether, in the event of this Bill not passing through Committee to-morrow (Tuesday), it will be brought forward again before the Whitsuntide Recess?

The CHANCELLOR of the EXCHEQUER, in reply, said, that if the measure did not pass through the Committee to-morrow, he was afraid that it would be impossible to name another day for its consideration until after the Whitsuntide Holidays. Supply would have to be taken on Friday, and probably some Scotch Votes would then come on.

ARMY—RIFLED ORDNANCE.

QUESTION.

Major O'BEIRNE asked the Surveyor General of Ordnance, Whether the system of rifled ordnance, upon which we now rely, is the same which was twice rejected in 1855 by the Select Committee at Woolwich; and, whether on its subsequent adoption by the Board of Ordnance, Mr. Padwick refused the offer of £100 as being no proportion to the value of his invention?

Lord EUSTACE CECIL: Sir, I am afraid the hon. and gallant Member for Leitrim is under some misapprehension. The system of rifled ordnance on which we now rely was not twice rejected in 1855 by the Select Committee at Woolwich. The offer to Mr. Padwick of £100 was given to him in consideration of his having drawn early attention to the subject of projectiles with studs, and by no means as a reward for an invention of which he cannot be admitted to be the inventor.

PARLIAMENT—THE DERBY DAY—ADJOURNMENT OF THE HOUSE.

QUESTION.

Mr. CHAPLIN asked Mr. Chancellor of the Exchequer, Whether he intends to move the adjournment of the House from Tuesday next till Thursday, as Wednesday next is the Derby Day?

The CHANCELLOR of the EXCHEQUER: Sir, I observe that prior to the year 1860, it was the habit of the House to adjourn over the Derby Day; but the Motion for adjournment was not undertaken by the Government of the time being. In the year 1860, Lord Palmerston, then the Leader of the House, moved the Adjournment for the Derby Day himself, and from that time till the year 1871 the Motion was regularly made by the Leader of the House and acquiesced in without observation. Since 1871, however, the Motion has been opposed and divisions taken upon it, so that the position of the question appears to have changed. In these circumstances I do not think it would be desirable that the Leader of the House or the Government should make the Motion for adjournment; but, of course, it will be open to my hon. Friend (Mr. Chaplin) or any hon. Member who thinks proper to do so.

Mr. CHAPLIN gave Notice, that in consequence of the answer of the Chancellor of the Exchequer, he would himself move to-morrow that the House should, at its rising, adjourn till Thursday. He wished to ask Mr. Speaker, Whether he was right in supposing that in accordance with all former precedents this Motion, though moved by a private Member, would take precedence of other Motions?

Mr. SPEAKER: I have referred to precedents, and I find that it has been the general practice that a Motion for the adjournment of the House should take precedence of other Business. In accordance with that practice, the Motion of the hon. Member will take precedence of the Public Business to-morrow at 2 o'clock.

Mr. ASSHETON gave Notice that he would oppose the Motion for adjournment.

THE EASTERN QUESTION—THE CONGRESS.—MINISTERIAL STATEMENT.

The CHANCELLOR of the EXCHEQUER: Sir, I may, perhaps, take this opportunity of making a statement to the House which will, I think, be of general interest. Papers have already been laid upon the Table by my hon. Friend the Under Secretary for Foreign Affairs which, as they are short and interesting, I may, perhaps, be permitted to read to the House. They are a communication from the German Ambassador to my noble Friend Lord Salisbury, and Lord Salisbury's reply. The communication from the German Ambassador is as follows:—

"London, June 3, 1878.

"THE Undersigned, Ambassador Extraordinary and Plenipotentiary of His Majesty the Emperor of Germany, King of Prussia, has the honour, by order of his Government, to convey to the knowledge of his Excellency the Marquis of Salisbury, Secretary of State for Foreign Affairs of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, the following communication:—

"In confirmation with the initiative taken by the Austro-Hungarian Cabinet, the Government of His Majesty the Emperor of Germany has the honour to propose to the Powers signatories of the Treaties of 1856 and 1871 to meet in Congress, at Berlin, to discuss there the stipulations of the Preliminary Treaty of San Stefano concluded between Russia and Turkey.

"The Government of His Majesty, in giving this invitation to the Government of Her Britannic Majesty, understands that in accepting it, the Government of Her Britannic Majesty consents to admit the free discussion of the whole contents of the Treaty of San Stefano, and that it is ready to participate therein.

"In the event of the acceptance of all the Powers invited, the Government of His Majesty proposes to fix the meeting of the Congress for the 13th of this month.

"The Undersigned, in bringing the above to the knowledge of his Excellency the Marquis of Salisbury, has the honour to beg his Excellency to be good enough to acquaint him as soon as possible with the reply of the British Government.

"The Undersigned, &c.

"(Signed) MUNSTER."

The reply of the Marquess of Salisbury to that communication is as follows:—

"THE Undersigned, Her Majesty's Principal Secretary of State for Foreign Affairs, has the honour to acknowledge the receipt of his Excellency Count Münster's note of this day, inviting Her Majesty's Government to take part in a Congress at Berlin for a discussion of the stipulations of the Preliminary Treaty concluded at San Stefano between Russia and Turkey.

"The Undersigned, taking act of his Excellency's verbal intimation that the invitation has been sent in the same terms to the other Powers signatories of the Treaty of Paris, and understanding that those Powers in accepting this invitation assent to the terms stated in his Excellency's note, has the honour to inform his Excellency that Her Majesty's Government will be ready to take part in the Congress at the date mentioned.

"The Undersigned, &c.

"(Signed) SALISBURY."

The Congress will take place, therefore, at Berlin, on the 13th instant, and Her Majesty's Government will be represented by my noble Friend Lord Beaconsfield, by Lord Salisbury, and by Lord Odo Russell, Her Majesty's Ambassador at Berlin. Sir, I am sure the House will anticipate that in making this communication, and in referring to this act of the German Government, I should say a single word to express the horror with which not only the House but the whole country has heard of the recent criminal attack upon the Emperor of Germany, and to express at the same time our earnest hope that no serious consequences may result. In spite of His Majesty's advanced age, his well-known mental and bodily vigour give us hope that the consequences will be less serious than might have been anticipated. Perhaps it may be of interest to the House, if my hon. Friend the Under Secretary for Foreign Affairs were allowed to read the latest telegrams which we have received with reference to the Emperor.

MR. BOURKE: The first telegram we received this morning was from Lord Odo Russell. It was dated 10.30 A.M., and was as follows:—

"The Emperor has slept at intervals fairly well. The doctors are satisfied with His Majesty's general state this morning."

Owing to the kindness of the German Ambassador, I am able also to read a telegram received about an hour ago, which he has been good enough to send down to me, and which I have his permission so to read to the House. It is as follows:—

"BERLIN, 2.5.

"His Majesty was struck by 30 pellets in the cheek, arms, head, and back. Eighteen pellets struck his helmet. The pain yesterday was very great. No one of the wounds is dangerous in itself. His Majesty is calm and quiet, and has shown great self-possession throughout. Sleep at night is good, thank God! On the whole, His Majesty's state is satisfactory."

We have also received from Lord Odo Russell another telegram, which appears to be a little later than those that I have just read:—

"The Emperor continues to be without fever. The ice placed on His Majesty's arm and shoulder has relieved the burning pain of the wounds. Some grains of shot are still inside the wrist and cannot yet be extracted, but there is no inflammation."

THE MARQUESS OF HARTINGTON: Sir, I am quite sure the whole House will re-echo the expressions which have fallen from the right hon. Gentleman the Chancellor of the Exchequer as to the horror and detestation which have been excited among us by the attempt upon the Emperor of Germany's life, and will heartily join in expressions of sympathy with His Imperial Majesty and with His people. I am equally sure we shall all rejoice to hear that the consequences are not more serious than, under the circumstances, might have been anticipated. But, Sir, perhaps the House will also allow me to take this opportunity, as I may not have another opportunity before the Holidays, of making one observation in reference to the first part of the right hon. Gentleman's statement—I mean that in reference to the Representatives of this country at the approaching Congress. As far as I know, the course proposed to be taken by the Government is altogether without precedent, though that fact probably has not produced a great impression on the minds of hon. Members opposite, who have lately, as it appears to me, developed a remarkable indifference to established precedents in these matters. I must say that the arrangements which have been just announced appear to call for serious consideration, and that they are to my mind a matter for regret. If, Sir, the object of the Congress is to be simply—

MR. SPEAKER: The noble Lord is now entering upon matter of debate, and I am bound to ask him whether he proposes to conclude with a Motion?

THE MARQUESS OF HARTINGTON: Sir, under the circumstances I had hoped the House would have allowed me to make a few remarks without it being necessary for me to conclude with a Motion, as I did not intend to detain the House longer than two or three minutes. However, to put myself in Order, I will conclude by moving the adjournment of the House. I was about to say that if the object of the Congress is simply to ratify conclusions which have been already arrived at, then I cannot imagine why the two chief Officers of the State should have thought it necessary to absent themselves from their duties in this country merely in order to take part in deliberations of that character. If, on the other hand, the Congress is to meet in order to deliberate upon and to decide upon questions of the most momentous importance, then, I think, it is very much to be regretted that the Representatives of Her Majesty's Government at the Congress will be deprived of the assistance they might otherwise obtain from the counsels of the Cabinet at home. Sir, I have been accustomed to believe that we are governed, not by one or two men, however eminent, but by Her Majesty's Ministers, acting together after due consultation and deliberation. But, in these circumstances, it seems to me that it will be quite impossible for the Cabinet at home to exercise any influence whatever on the decision which may be arrived at or agreed to by the Representatives of this country at the Congress. It may, perhaps, be said that the Plenipotentiaries will join the Congress at Berlin in order to support a policy which has been decided upon and determined by Her Majesty's Ministers at home. But, Sir, it is possible, and, indeed, it is very probable, that on an occasion of this sort unforeseen occurrences of the greatest gravity and importance may arise, and it will be impossible, in such circumstances, that Plenipotentiaries can receive the support which, in other circumstances, they might receive from the Cabinet at home. It may, again, be said that the conclusions to which they may pledge the country will require the ratification of the Government at home. I am sure, however, that the House will see the immense difference which exists between a Cabinet exercising an influence on the deliberations of the Congress while they were in progress, and taking the responsibility upon itself of either rejecting or considerably altering the decisions already arrived at. I cannot imagine for a moment that it will be denied that the part which this country is to take in these deliberations—in the settlement of a policy which may affect the present and future policy of this country for a great number of years to come—I say I cannot imagine that it will be contended for a moment that these events will be in the hands of any but the two Plenipotentiaries who are sent to the Congress. On the other hand, it is impossible to conceive that the Cabinet, sitting at home and deprived of the assistance of two of its chief Members, can exercise any real or beneficial influence over the deliberations of the Plenipotentiaries at Berlin. Nor do I think this arrangement will be any more satisfactory to this House when it is considered that neither of the Plenipotentiaries who have been selected has a seat in this House. Therefore, those Members of the Cabinet who might be most able to form an opinion as to the feeling of the House of Commons on these important matters will not be able to make their opinion known. Sir, I would not have taken this course, but for the fact that the very short time which will elapse before the Congress meets rendered it possible that another opportunity would not be afforded to me of calling attention to the subject. I hope the House will excuse me for having made these remarks.

Motion made, and Question proposed, "That this House do now adjourn."—(*The Marquess of Hartington.*)

The CHANCELLOR of the EXCHEQUER: Sir, I do not know that it would be convenient that I should enter into a discussion upon this subject. Still, I may say that the whole of the proceedings and the whole of the policy which is involved in the meeting of the Congress have been the subject of long and most anxious deliberation on the part of Her Majesty's Government. We have in the fullest manner discussed among ourselves all the questions which are likely to arise, and there is so complete an understanding of those questions that we do not anticipate those disadvantages to which the noble Lord has referred. Undoubtedly, the question of the representation of this country at the Congress was one of considerable delicacy and difficulty, and it has been the cause of anxious deliberations on the part of Her Majesty's Government; but, upon a full consideration of all the circumstances, we found the balance of reasoning to be in favour of the course which has been adopted. The Congress will be attended by the Prime Ministers and Foreign Secretaries of the principal Powers concerned. The Prime Minister of Germany, the Prime Minister of Austria, and, in all probability, if his health permits, the Prime Minister of Russia, the Foreign Minister of France, and the Foreign Minister of Italy, will be the Representatives of those Powers at the Congress. It has, on the whole, appeared to Her Majesty's Government, that by requesting the Prime Minister and the Foreign Secretary to act as the Representatives of England, we were taking the course which was best calculated to arrive at a speedy and satisfactory conclusion of a matter which is not now in its infancy, but which has been considerably advanced.

Mr. NEWDEGATE said, he desired to suggest to the Chancellor of the Exchequer the adoption of a course which an individual Member of the House was scarcely competent to propose; but which, he thought, would come with good grace from the Leader of that House. He would suggest that the Chancellor of the Exchequer should consider whether there was any precedent that would justify an expression on the part of the House of its abhorrence and detestation of the second attempt which had been recently made to assassinate a Sovereign who had been doing so much for the peace of Europe, as his Imperial Majesty the Emperor of Germany, by convening a Congress in his own capital. He (Mr. Newdegate) was quite sure that if the right hon. Gentleman found that his doing this would be in accordance with precedent, he would consult and represent the feeling of the House by affording an opportunity for expressing the feelings of abhorrence which were excited by this second attempt to take a life so valuable to the world.

Motion, by leave, *withdrawn.*

THE EASTERN QUESTION—THE CONGRESS—REPRESENTATION OF GREECE.

QUESTION.

Sir CHARLES W. DILKE: With reference to the statement of the Chancellor of the Exchequer, that invitations to the Congress had been addressed to the Powers who were signatories to the Treaties of 1856 and 1871, he will remember that a short time ago he stated that the Government had taken steps to secure the representation of Greece—I wish to know, Whether any official invitation has been sent to Greece?

The CHANCELLOR of the EXCHEQUER: It would be more convenient if Notice were given of that Question.

UNIVERSITY EDUCATION (IRELAND).

QUESTION.

The O'CONOR DON asked Mr. Chancellor of the Exchequer, Whether, considering the melancholy and unprecedented circumstances under which the House adjourned on Friday last, he will allow the Motion on Irish Education, which was then under discussion, to take precedence this evening on the question of going into Committee of Supply, which, he believed, the right hon. Gentleman again proposed to set up?

The CHANCELLOR of the EXCHEQUER said, it did not, of course, lie with the Government to say what course hon. Gentlemen, who had given Notices of Motion on going into Committee of Supply, might consider it right to pursue; but if those hon. Members did not think it necessary to claim precedence, and would allow the debate of Friday evening to be resumed, that might, probably, he thought, be the best course for the convenience of the House. He might mention that while it had been intended to bring forward the Votes for the Queen's Colleges this evening, it was now proposed, in consequence of representations which had been received from several Irish Members, to put off those Votes until after Whitsuntide.

TURKEY.—MURDER OF MR. OGLE.

QUESTION.

In reply to Mr. H. Samuelson,

Mr. BOURKE said, he believed that most of the Papers relating to the murder of Mr. Ogle would be in possession of the House on Friday next. Delay had arisen from a great deal of evidence having been taken in Greek, which required to be translated.

ROADS AND BRIDGES (SCOTLAND) BILL.

OBSERVATION.

Sir GEORGE CAMPBELL said, he did not wish to stand in the way of the discussion of the Motion of the hon. Member for Roscommon (the O'Conor Don; but, in case the debate on the adjournment for the Derby Day to-morrow should throw over the Roads and Bridges (Scotland) Bill, would the Government give another day for that measure?

Mr. ASSHETON CROSS: I only hope the debate to which the hon. Baronet alludes will not be very long.

SUPPLY.

THE LATE EARL RUSSELL.

The CHANCELLOR of the EXCHEQUER: Sir, I have now to move that the House will immediately resolve itself into Committee of Supply. That is a formal Motion, consequent on the events of last Friday; but I wish to take this opportunity of referring to another subject, which I had hoped to have addressed myself to for a more practical purpose—namely, the loss which the country has recently sustained in the death of the distinguished statesman who was for so many years the Leader and the ornament of this House. It was the wish of Her Majesty's Government to have been able to propose the honours of a public funeral for that very distinguished man; and, if it had been in accordance with the feelings of his family, and with the directions which Lord Russell himself had left, no doubt the House would have most gladly joined in doing honour to his memory. But the House is probably aware of what has been said in "another place"—that the family of Lord Russell have felt themselves constrained, by the terms of his own direct instructions in his will, not to accept that proposal; and I, therefore, only express what I am sure is the feeling both of those among us who have had the privilege of sitting in this House with Lord Russell, and also of those who, being later Members, have only known of his reputation here from others, when I say that the House deeply regrets the removal, even at so advanced an age, of one who has been so great an honour to his country, and whose services have been such a great advantage to his country, and that we ought to express our heartfelt sympathy with his family in the loss they have sustained.

The Marquess of HARTINGTON: Sir, I am sure the House has received with great satisfaction the statement made by the Chancellor of the Exchequer as to the intentions entertained by Her Majesty's Government with respect to the funeral of Lord Russell. Those of us, as has been remarked by the Chancellor of the Exchequer, who had the honour of a seat in this House when Lord Russell was still among us, will remember well how his name had come to command the respect, not only of those with whom he was immediately associated, but of men of all Parties and all sides of the House. There are, indeed, very few among us now who can recall from personal recollection the great part taken by Lord Russell in some of the most extraordinary events of English history, and few who can remember the great services which he rendered to the cause of civil and religious liberty, or the necessity which then existed for those services. Those events and services of Lord Russell have to a great extent been brought back to our memory by the records which we have all had the opportunity of reading during the last few days; and I am sure the House and the country will feel that any honour it is in the power of the State to confer would be well bestowed on the memory of one who during so long a period of his life exerted so much ability and energy in the service of his country.

Motion *agreed to.*

Resolved, That this House will immediately resolve itself into the Committee of Supply.—(*Mr. Chancellor of the Exchequer.*)

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

UNIVERSITY EDUCATION (IRELAND).

RESOLUTION.

MR. BLENNERHASSETT resumed the debate on the Motion of The O'Conor Don, which was interrupted by the sudden adjournment of the House on Friday night, consequent on the death of Mr. Wykeham Martin. Universities are, as a rule, mainly recruited from the ranks of pupils receiving instruction in the higher branches at intermediate schools. And a comparison in this respect points distinctly to some cause operating to exclude Catholics. Notwithstanding the fact that all the endowed schools of Ireland are strictly Protestant, there were, when the last Census was taken, 5,177 Catholic, as compared with 5,637 Protestant boys, actually under instruction in the higher branches. That is to say, in the field of intermediate education, the two religions were very nearly on an equality. That most instructive but melancholy record of Irish educational backwardness—"The General Report of the Census Commissioners of 1871"—contains the clearest evidence on the whole subject.

> "There is something," say the Commissioners, "essentially wrong in the system of higher public instruction. Taking in the whole field of view," they write, "we are unable to repel the inference that the cause of this miserable backwardness in higher culture lies outside the national character, outside the distribution of wealth, outside variety of station, and outside every ordinary influence that should determine a certain element of the population to the acquirement of liberal culture."

This Report points out that, notwithstanding the undoubted zeal of their voluntary endeavours in the foundation of intermediate schools and Colleges, the Roman Catholics of Ireland are much behind the rest of the population in respect of every branch of higher instruction.

> "Our survey of the field," it is admitted, "should be not quantitative, but qualitative; we should separate from the total of Roman Catholics the large proportion of their number whose place has been fixed beyond the natural horizon of superior education—who are outside the aim and reach of higher education."

But, allowing for all this, the Commissioners, after the most thorough and searching examination of facts and figures, arrive at the following conclusion:—

> "We think there is warrant in common knowledge and common sense for the expression of an opinion—first, that if regard be had to the admitted progress of Ireland during the last decade in prosperity and wealth, all the higher educational wants of more than 5,000,000 of people, without distinction of creed, have not been adequately ministered to upon the evidence of the results before us; and, secondly, as regards Roman Catholics alone who comprise more than 4,000,000 of those 5,000,000, the demand for higher instruction among those having capacity and call for its reception is feebly represented by the figures tabulated."

The Report from which I have been quoting refers, as hon. Members will perceive, to intermediate as well as to University education. It would be highly undesirable to mix up these two branches of the subject in this debate; but still it is necessary to observe that the efforts of the Roman Catholics, wholly unassisted by the State, to build up a system of intermediate education for themselves, have suffered, and continue to suffer, most severely from the want of any University to stand in the relation to their schools that a National University would naturally occupy towards such Institutions. A system of intermediate education, without a University in connection with it, is like a body without a head. Let hon. Members consider what would be the effect upon the great public schools of England if Oxford and Cambridge were not to exist. What a vital stimulus, what invigorating influences would be lost. The principal Masters of all the great public schools are University men. The boys taught at these schools compete with one another, school with school, and boy with boy, for the various honours and prizes of the Universities, and often continue that rivalry to the end of their University careers; and their achievements have been chronicled on the walls of their old school-rooms for the emulation of future generations of scholars. It would be hard to over-estimate how much the unrivalled public schools' system of England owes to her ancient and splendidly endowed Universities. Compare this with the state of things under which the intellectual life of the great body of the Irish people is being starved and dwarfed, and are we not driven to the conclusion which finds expression in the words of the Census Commissioners, that ?—

> "There is not a moment to be lost before those upon whom the care lies should apply their faculties to the infusion of blood and spirit into the dry bones of public instruction in Ireland."

There is no doubt that the solution of the University question is essential not only to the development of higher culture, but to the satisfactory condition of that intermediate instruction with which the Government has undertaken to deal. What, then, is the difficulty in this question, and how is it to be met? It has been shown that the Catholics, as a body, do not participate in the advantages of University education. The reason why they do not is perfectly well known. It is because they have no University which is in accordance with the obligations imposed upon them by their religious belief. In the words of my right hon. Friend the Member for Greenwich (Mr. Gladstone)—

> "The Irish Roman Catholic is in this condition—that he is not able to obtain a degree in Ireland without going either to the Queen's Colleges to which he objects, or placing himself under examinations and a system of discipline managed and conducted by a Protestant Board mainly composed of clergymen of the Disestablished Church of Ireland. Religion being a force which operates with peculiar strength upon the minds of the Irish people, the great majority of them prefer to surrender all University advantages, rather than enjoy those advantages in violation of their sense of religious duty."

English opinion and policy as regards the education of the Irish people has passed through various stages at different times. A Statute of Anne made it felony for a Catholic schoolmaster to teach in Ireland. An Act of William III. made it civil death for a Catholic child to be sent to school in any foreign country. Nevertheless, as we read in charming pages, familiar, no doubt, to many hon. Members—

> "Contraband scholars often were the returning cargoes of the smuggling craft that nightly ran silks and brandies into Irish creeks and bays in the early part of the last century."

The State has also attempted to combine education with efforts to proselytize, and large sums of money have been voted by Parliament for the purpose. All these attempts failed—as they deserved to fail—for the Irish people, strong as was their love of learning, steadfastly rejected the education offered to them on such degrading terms. In the words of Sir James Graham—

> "All attempts to educate the people of Ireland have failed wherever there was an interference with conscience in matters of religion."

As regards higher education, the intolerance of compelling Catholic youths to resort to a distinctively Protestant Institution, under the control of Protestant clergymen, came at last to be recognized. In 1845 a new experiment was tried, and the Queen's Colleges were established on the avowed principle of avoiding all interference, positive or negative, with the feelings of the students in matters of religion. The object of Sir Robert Peel in setting up those Colleges was, no doubt, to benefit the Catholics. He was a great statesman, and animated by generous motives; but one who knew the Irish people and understood their feelings far better—Mr. O'Connell—foresaw what the result would be, and declared his opinion that unless religion was introduced into the system, it would never be accepted by the Irish people. That venerable statesman, whose loss the nation is now mourning—Lord Russell—in the course of the debate on the Queen's Colleges, made a speech, of which subsequent events have shown the wisdom—

> "On a question of this kind," he said, "the influence of the Roman Catholic Clergy ought to be fairly, not humbly or meanly, but fairly and honestly, sought. You should not omit in any Bill which you propose for academical education in Ireland that great element of your success, and almost the basis upon which your system must in future rest—the concurrence of the Roman Catholic Clergy. Unless you can induce the Roman Catholic Prelates and their Clergy generally to think that they can fairly recommend to those who come to them for spiritual advice, that they should place their sons at the Colleges which you propose to found, unless, I say, you can do this, the very best that you can hope for your measure is that it will be null; but my fear is that it will be noxious."

Lord Russell's views were disregarded, O'Connell's warning had no effect, and what has been the result? The secular system proved utterly obnoxious to those whose wants it was specially intended to meet. It has maintained only a struggling and precarious existence, and, at the end of over 30 years of trial, we had last year from the whole of Ireland, in the three Queen's Colleges, a little over 200 Roman Catholic students of every description attending lectures, and of these only about 70 matriculated in Arts. The Queen's Colleges were meant to supply a great void in the higher education of Ireland, and it is a significant commentary on that intention that the number of University students in Arts in that country was greater 40 years ago, before these Colleges came into existence, than it is now. As regards the special object for which they were designed, the secular Colleges have been a conspicuous failure. And yet my hon. Friend the Member for Hackney (Mr. Fawcett), with the support of the authorities of Trinity College, given in a moment of panic, has thought that he could solve the Irish University question by making an addition of one to their number. With the example of the Queen's Colleges before him, he has succeeded in inducing Parliament to extend to Trinity College the identical principle to which the failure of those Colleges to attract the youth of Ireland to their teaching is due. What has been the result of the measure introduced by him? As yet, nothing, except that four Roman Catholic students have been admitted to scholarships in Trinity College in the course of five years. The Act for the Abolition of Tests has left the Protestant character of Trinity College for the present practically unchanged; because, under the operation of that Act, the Government of the College must continue to be mainly in the hands of clergymen of the late Established Church, until some time in the next century. A Catholic, even if he were elected to a Fellowship at the very next vacancy, would not, at the ordinary rate of promotion, have a seat on the Board and a voice in the general management of the College for 35 or 40 years to come. But, if this were otherwise, if Trinity College had actually become a secular Institution, what ground should we then have for supposing that as such it would have any influence in attracting the Roman Catholic youth within its walls? There would be only four secular Colleges instead of three, and the fact would still remain as strong as ever that four-fifths of the population of Ireland had not a single Institution in their country, with the power of granting a degree, whose constitution and government were in harmony with their conscientious convictions. The objection of the Catholics to the secular system has been stated in explicit terms, over and over again. They have not left us in any doubt on the subject. The heads of the Roman Catholic Church have repeatedly spoken, and lay opinion has been expressed with singular unanimity in accordance with their views. Public meeting after public meeting, Petition after Petition, have borne testimony to this fact. It is sometimes said that the sentiments of the Catholic laity on the matter are misrepresented, and that, at all events, a considerable section of them do not adopt the views of their Bishops. I cannot pretend to know what the private opinions of Catholics may be as regards the respective weight which should be given to the lay and clerical element in education; that I have always regarded as a matter for their own consideration, and one in which no one else has any right to interfere; but that any appreciable amount of lay Catholic opinion favours a secular as opposed to a Catholic University system, there is not one jot or tittle of evidence to show. The amount of proof in support of the contrary conclusion is irresistible. The natural exponents of Catholic opinion—the Catholic Members of this House—are, I believe, unanimous on the point. The testimony of public meetings, of Petitions, and of the Catholic Press is as strong as such testimony can be. Above all, there is the conclusive evidence afforded by the determined and persistent resolution of the Irish Catholics, at the sacrifice of considerable material advantage, to refuse to accept the teaching and the degrees offered them in secular Institutions. The Irish Catholic layman, with a strong preference for the secular system, to which, I suppose, he is afraid to give expression, who is occasionally evolved by hon. Members opposite from the depths of their inner consciousness, is, I believe, as purely mythical a personage as the famous Mrs. Harris herself. For all practical purposes, the demand of the Irish Catholics, lay and clerical, on this question, is definite, consistent, and unanimous. They ask for University education in accordance with those principles of religious belief which they regard as necessary to their eternal welfare, and they claim that the authorities of their Church shall have that control in the domain of faith and morals which they consider essential to this. They complain that because of this opinion, which they hold as part of their religious faith and obligation, they are subjected to grave difficulties in the pursuit of higher culture, and to substantial disadvantages in the various professions and walks of life in which a University training and degree are valuable. On this ground of the imposition of civil disability for religious belief they are entitled, on the simplest principles of toleration, to the sympathy of every consistent Liberal. In Ireland the equality of all religions before the State has been affirmed by Parliament. The Roman Catholic subjects of the Queen are admitted to be just as loyal, just as much entitled to confidence and consideration as the Protestant. They sit on the Judicial Bench, and fill great Offices of State. They ask, as the reasonable and necessary consequence of their position, that the ascendency of religious and political privilege having been overthrown, the still more galling ascendency of mental culture and superior education shall no longer be maintained. They ask—and the demand is one which cannot finally be resisted—for perfect educational equality with their Protestant fellow-subjects. This equality can only be brought about in one of two ways. It must either come by the abolition of all educational endowments, or by the creation of a Roman Catholic University or College in a fair position as compared with existing Institutions. The first of these courses would be calamitous. It would sound the death-knell of liberal culture and intellectual progress in Ireland, and would throw that country back for generations. To solve the religious difficulty in this way would be indeed to make a desert and call it peace. The glimmering light of the Queen's Colleges would be extinguished in utter darkness. The destruction of Trinity College would be a national calamity. The difficulty is that its maintenance, while you deny to Catholics equal advantages with those which it bestows on Protestants, is a violation of the great principle of religious equality. What, then, is the alternative policy? Is there no way by which we can preserve existing Institutions, and leave them free to carry on their work, and, at the same time, do substantial justice to the Catholics, and break down the barrier which separates them from University education? The only way is to give them an Institution for themselves, in which they shall be free to carry out their own principles. Last Session, my hon. and learned Friend the Member for Limerick (Mr. Butt) introduced a measure in which he attempted to do this by the creation of a Catholic College within the ancient University of Dublin. That proposal was supported by the Catholic Members, and was understood to be acceptable to Catholic opinion in Ireland. It was rejected by a large majority. And now we are asked by the Irish Catholics to consider their case, and the Government is invited to frame a measure to meet it. No details of such a measure are suggested in the Resolution before us. There are some to whom the idea of a separate University commends itself, and no doubt there is much to be said in its favour. I do not myself share the fears of those who think that the creation of another University in Ireland would tend to lower the standard of education. Higher education is nowhere more prosperous or more widely diffused than in those countries where there are several Universities. Look at Scotland, with its four Universities, and Germany with 20. There would not, I think, be any difficulty in maintaining the requisite stringency of examination. A central University for Ireland, where all students could meet and contend in honourable rivalry—a great national home of learning—is a grand idea; but I fear it would not be easy to realize it, except at great and excessive cost. The differences which exist with regard to many of the most important branches of knowledge are so fundamental and profound that it would be impossible, without the most serious limitations of academic teaching, to bring together representatives of the different creeds on the same Board. I am inclined to think that it would tend more, in the end, to the promotion of learning to let each body work out its own system after its own fashion. The real difficulty in this question, however, does not lie in choosing between these rival methods of academic organization. It centres in the claim made by the Catholics for what is called denominational endowment. This is the point on which the whole controversy really turns. The contention on their part is, that without the sufficient and substantial—I do not say extravagant—endowment of a Catholic Institution, it will be impossible to raise Catholic University education to the level of that which is enjoyed by those who are not debarred by religious scruples from making use of Trinity College and of the Queen's Colleges. Are, then, the objections to this course so strong that they cannot and ought not to be surmounted? These objections are founded to a certain extent on our recent policy as regards the English Universities. The tendency of that policy has unquestionably been to abolish the exclusive character of those Institutions, and to open them as freely as possible to all comers. We have attempted to apply the same policy to the University of Dublin. But, as was pointed out at the time, those who thought that the opening of Trinity College to all denominations would convert it into a national Institution, were applying to Ireland, by a false and misleading analogy, experience gained from a state of things when the problem to be solved was totally different. In England we opened the door to Protestants, who, though Dissenters from the Established Church, were eager and willing to enter. In Ireland we opened the door to Catholics, who did not want to enter, but who wished to go somewhere else. The experience of the Queen's Colleges has shown conclusively that no amount of opening, in the sense of the destruction of any distinctive religious character, will bring the Catholics into Trinity College. Then, it is said, and said with great apparent force, that the Protestant Church in Ireland has been disestablished and disendowed. The Maynooth Grant and the Presbyterian *Regium Donum* have disappeared. All this has been done with the cordial approval and aid of the Catholics. To ask us now to endow a denominational Institution, is to ask us to abandon our principles, to reverse our recent acts, to dig up from its grave the old dead and buried policy of State aid to religion. I fully admit that if what we are asked to do is to be regarded as an endowment of the Roman Catholic religion, these objections apply with overwhelming force; but I do not think this is the case. The line of separation is delicate and fine, but it is perfecty distinct. These objections apply exclusively to the endowment of religion; against the endowment of education there is not a word to be said. Nay, more—there is a general feeling that the effective expenditure of a reasonable amount of money in the promotion of higher education in Ireland would be a great public good. What we are asked to do is to endow higher education in the only way in which endowment will be acceptable, and can be expected to bear fruit. We are anxious to promote education; but, in attempting to do so, we must recognize the conditions and limits imposed upon us by the feelings and character of the people for whom we legislate, or all our efforts will be vain. The mind of a nation cannot be elevated by influences external to itself exercised against its will. Religion is the strongest of all the forces which operate upon the minds of the Irish people, and the advancement of liberal culture amongst them will never be effected if we bring it into collision with religious faith. It has been said that if a Roman Catholic College were endowed with public money the State would be compelled to interfere in its internal arrangements, and—as it were—to hold the balance between the different sections of a religious body with whose mutual relations it had nothing to do. If this were necessary, it would certainly be a great evil; but I cannot see the necessity. No antagonism between the Catholic clergy and laity is an element in this question. No one thinks that were we to concede the point of endowment, there would be any difficulty in framing a Constitution for the new academic body which would be cordially accepted by all Catholics, lay and clerical. Having done this, we should leave that body as free as possible, State interference being kept at a minimum. Nothing can be more absurd than the notion which lies at the bottom of this objection, that the Irish Catholics are to be regarded as children who require to be protected by Parliament from the influence of their own clergy. If such coercion of spiritual terror had any existence amongst them—and I do not for a moment believe that it has—who can doubt that a healthy growth of lay independence would be best promoted by leaving the whole body free to adjust and to arrange their own relations without the disturbing influence of external interference. There is one respect, however, in which State supervision would undoubtedly be necessary. If public money be given to further education in any Institution connected with a particular religious persuasion, the State is bound to see that the money so given is properly used, and that the education paid for comes up to a fit standard. The representatives of the Catholic claims have repeatedly expressed their willingness to submit, in this respect, to the most stringent tests. Persons of great experience and authority in academic matters have assured me that there would be no difficulty in making such tests really effective; and, of course, the more thoroughly they were applied, the higher would be the value of the degree. The State would be able to make certain that the teaching was really efficient, and that a proper standard of acquirement in the various branches of secular learning was maintained. So much for the chief objections that have been raised against the endowment of a Catholic Institution for Higher Education in Ireland. The positive grounds on which such a plea may be urged are extremely strong. Without some provision of the kind, it is clearly not to be hoped that Ireland will regularly take her place in that great educational movement, which is the noblest characteristic of the age in which we live. At present, a large number of her youth are shut out, except at the sacrifice of convictions and feelings, which even those who differ from them are obliged to respect, from that high and equal level of liberal education to which they justly aspire. We wish to see Ireland liberal and enlightened, yet we withold from her the means of that knowledge and culture by which alone liberal and enlightened sentiments are spread amongst a people. Those who have seen anything of her social life must know that there is nothing she stands in greater need of than an educated and enlightened middle class. Yet we keep the Catholic landowners, the lawyers, the doctors, the men of business, in this position — that they cannot get a degree at any University in the country which is sanctioned by their religion. We know that Ireland is a poor country, with many obstacles to her progress, and yet we make no effort to enable her to supplement the poverty of her material resources by the riches of her intellectual gifts. I am no advocate for showering down gold in the form of extravagant endowments on any Institutions; but, considering the circumstances of Ireland, and especially of the Roman Catholic body, I do not think it is possible for them to have a University adequate to their wants, and worthy to hold a position at the head of their educational system, without, not merely recognition of their degrees, but substantial pecuniary aid. The Irish Catholics do not abound in riches. Land is the chief source of wealth in Ireland, and the landed proprietary of the country is for the most part Protestant. Confiscations and the Penal Laws, which were so long directed towards preventing the Catholics rising to influence or wealth, have left them, even still, comparatively poor. The necessity of supplying the material requirements of their worship draws heavily on their scanty resources. The contributions of persons, whom in England we should not hesitate to class among the very poor, have made their churches rise in beauty, and even splendour, over the land. In the field of intermediate education they have shown, under circumstances of discouragement and difficulty, a noble zeal and liberality. I should be sorry to see the wholesome stimulus of voluntary effort released; but there is a limit to what is possible in this direction. There is one sphere, at least, in which the so-called maxims of Free Trade—the ordinary laws of supply and demand—are clearly inapplicable, and that is in the development of learning and culture among a poor and backward people. There is a debt due to Ireland, and especially to the Catholics of Ireland, in this matter. Hitherto, when they have come to us for bread, we have given them a stone. Shall we be content now to send them away empty? There are other than educational issues involved in this question. It is no mere struggle of sects or parties. A vital principle in the government of Ireland is called in question. The reasonable liberty of the people of that portion of the United Kingdom is at stake. If there be any question which is entitled to be regarded as an Irish question, a question in which Irish interests predominate, and which Irish opinions should decide, it is this question of the teaching of Irish youth. There is no mistaking the voice of Ireland in the matter; there can be no pretence of mistaking it. Is that voice entitled to be heard or is it not? Are we justified in allowing our educational theories or political difficulties in this country to stifle the legitimate aspiration of Irish parents—an aspiration shared by so many in England—that their sons should be educated in a place where their religion is taught and recognized? Shall we, in the name of freedom of conscience, compel the Catholics of Ireland—because they are Irish, and because they are Catholics—to adopt a principle which is repugnant to their highest sense of duty, or else to forego all share of those advantages which, in a national and normal state of things, they would as the great majority of the nation enjoy. If this be done, with what force and reason can 4,000,000 of the people of Ireland say, in the words of Swift—" Government, without the consent of the governed, is the very definition of slavery." The hon. Gentleman concluded by moving the Resolution.

MR. ERRINGTON: Mr. Speaker, I must, in the first place, join my hon. Friend the Member for Kerry in thanking Her Majesty's Government and the House for the kindness with which they have facilitated our proceeding with the discussion this evening. Yet, I must say that it is very discouraging, after all that has occurred for so many years, to find ourselves once more face to face with this interminable question of Irish University education. Of course, I know that there are and must always be great and important questions in advance at any given moment of public opinion, and that their advocates must be content to bring them forward, year after year, to urge and reiterate their arguments until they succeed in working public opinion up to the necessary mark. But I fear that we who know the weary and intricate history of this question, can hardly console ourselves with the thought that we have as yet made any very material progress. And yet I have no reason to complain of the manner in which our arguments are received. On the contrary, it appears to me that by far the most important of those arguments, I would say the whole of our premisses, are admitted on all hands. We are told everywhere—" It is quite true; the condition of superior education in Ireland is positively deplorable. Ireland has had a good deal to complain of in the past, and we frankly admit the necessity and expediency of doing something to remedy the present state of affairs, but"—(for, Sir, a hitch always occurs somewhere)—" the demand which you make for denominational education, as necessary to guarantee your liberty of conscience, is out of the question; even if we were prepared to consider it, no Ministry could pass such a measure; the people of England would never stand it." Sir, that is a very serious statement; for it means that, proud as the people of England very justly are of freedom of conscience and of religious equality in the abstract and in the concrete for England and Scotland, they are not prepared so far to waive certain prejudices as to extend those rights to Ireland and to Catholics. Now, I think I have a right to ask those who use and intend in future to use this statement—for it is no argument—to tell us plainly and openly whether they themselves share those prejudices, or whether they are merely taking refuge behind the prejudices of others, and using this as a convenient if not very creditable *non possumus?* For I contend that if they do not share those prejudices, they ought to meet us in a totally different spirit. It would be perfectly fair while admitting the *à priori* justice of a demand for religious equality, to plead strong popular prejudice as a hindrance to be overcome, as an unfortunate cause for delay; and I venture to say that if we had been met, or if we were even now met in that spirit, the solution of this question need be neither difficult nor long delayed. It is really very hard for us to understand how anyone can doubt or deny that this question does involve the religious convictions of the Irish Catholics. That it does so is, to my mind, contained in the admission which everyone makes as to the backward condition of education in Ireland. For it is not contended, as far as I know, that that condition is due to any want of educational facilities, and certainly not to any want of appreciation or desire for learning on the part of the Irish people. It is due simply to the fact that the only educational facilities which exist in Ireland—the only facilities you will give the people of Ireland—are such as they cannot and will not avail themselves of; they say they cannot do so on account of their convictions. It is not, Sir, that they love education less, but that they love conscience more. Now, I fully admit that you may think those convictions wrong, and even uncalled for and misplaced; but I do not see how you can go behind the statement made by the Irish Catholics that the matter does affect their consciences. This was most fully and fairly admitted by the right hon. Gentleman the Member for Greenwhich (Mr. Gladstone) in his great speech on introducing the University Bill of 1873. These are some of the eloquent words he used on the occasion. He said—

> "We have sought to provide a complete remedy for what we thought, and for what we have long marked and held up to public attention, as a palpable grievance—a grievance of conscience."

And, again, he asks—

> "Do we intend, or do we not intend, to extend to them (our Roman Catholic fellow-subjects) the full benefit of civil equality on a footing exactly the same as that on which it is granted to members of other religious persuasions? If we do not, the conclusion is a most grave one."—[3 *Hansard*, ccxiv. 380—426.]

Sir, I am sure the House will agree that such a conclusion would be a most serious one; and I feel so strongly that this point is at the bottom of the whole question, and that so long as it remains open it is premature to discuss the merits and details of various schemes that, with the permission of the House, I would say a word on it. Sir, by far the ablest, by far the most plausible statement, I have ever seen of the case against us, is in a paper written shortly after the rejection of the Bill of 1873, by a most able man, one who was known personally to many hon. Members of this House, and, by his writings, to many more—one, Sir, unfortunately, too soon removed from the sphere he illustrated and adorned by his talents—I allude to the late Professor Cairns of Trinity College; and I am sure my right hon. and learned Friend the Attorney General for Ireland will bear me out in what I say in praise of his great abilities. In the paper I allude to, after clearly and fairly stating our alleged grievance, he draws the following conclusion:—

> "Nor can there be any doubt as to the one and one only remedy which would be adequate to meet the latter ground of complaint. One and one only remedy can satisfy the exigency—can place those who object to united education in open Colleges on an equal footing with those who accept the assistance of the State on those conditions—namely, the chartering and endowment, on a scale commensurate with the endowments of the National Universities, of a Catholic University, established on principles satisfactory to the Priesthood. Nothing short of this can place Ultramontane Catholics on an equal footing as regards the higher education with other members of the community; and the single question now for statesmen is, are they or are they not prepared to make this concession?"

Sir, I have confidence enough in the fairness and justice of English statesmen, and of the English people, to believe that they will make this concession when they realize—what we all know to be the case, and can prove—first, that this is really the grievance of the Catholics of Ireland and not of a mere minority; and, secondly, that it is in itself a reasonable and a substantial grievance; for, on the denial of one or other of these two points almost every argument against us is based. First of all, we are told that our grievance, such as it is, is not the grievance of the Catholics of Ireland but only of a small minority, which Professor Cairns would call an Ultramontane or Clerical faction. Sir, that is an argument which, no doubt, deserves the fullest consideration. My hon. Friend the Member for Roscommon (the O'Conor Don) has, however, dealt with it in the most conclusive manner, and shown, I think, clearly that, judged by whatever test you like, if ever there was a question which went home to the hearts and feelings of the vast majority of the Irish Catholics, it is this one. But, it is further urged that, even if this were a general Catholic grievance, still it is one of so peculiar a nature, so unreasonable in itself, as not to call for, or even to warrant, the interference of the State for its redress. It is so important the full significance of this argument should be patent to the House, that I venture to quote it in Professor Cairns's words—for he always had the full courage of his opinions—and he puts it most ably; but, at the same time, in all its crudeness and plainness. He says—

> "To state my own view of this matter—while I admit the fact of inequality, I am disposed to deny the existence of a grievance in the sense of a disability which the State ought to redress. The State is undoubtedly bound to frame its laws impartially as between the several classes of citizens; but, as I understand the case, it is no part of the duty of the State to provide that all citizens shall derive equal benefit from the laws. This must depend, in part, at least, on the character and conduct and even on the idiosyncracies of those who are affected by them; and if it happen that in certain cases these are such as to exclude some people from the benefit of laws framed in good faith and with an enlightened regard to the interests of the community, as a whole, the unfortunate result is not to be attributed to unfairness in the law, but rather to the peculiarities of temperament or taste of the persons concerned—peculiarities which, so far as they go, unfit those who are the subjects of them for sharing in the general advantages of National union."

I think this is rather startling doctrine, and that it savours somewhat too much of intolerance to be acceptable to the House of Commons, at all events, in the 19th century. Why, it simply begs the whole question. It assumes that these laws are so absolutely impartial and perfect, that anyone who differs from them is unworthy of consideration; that his opinions may at once be disposed of by calling them idiosyncracies and peculiarities of taste and temper, and that they actually place him outside the pale of the law. Yet, I am glad to have cited the argument, for I am sorry to say it is a very popular one, constantly advanced against us; and from it the House may judge of the spirit in which opinions, at all events honest and legitimate, are too often met in Ireland. But, even apart from its spirit, an argument less likely to advance the practical question of educating Ireland, I cannot conceive; for, if it is to be acted upon, whatever other results it may have, it is certain to leave Ireland permanently without education. For my part, however, I fully admit that we may fairly be called on to justify our position, and to show not merely what our difficulty is, but that it is a reasonable and substantial difficulty; and to satisfy the House that we are not invoking the name of conscience as a *Deus ex machinâ* to come down and magnify some mere trumpery grievance. What, then, is this conscientious difficulty? Nobody, Sir, has more respect and admiration than I have for the past of Trinity College; I think it is a feeling which is shared, and certainly ought to be shared, by every Irishman; no one has a more sincere hope and expectation that the future of that Institution will be worthy of its great past; no one has more respect and regard than I have for my two hon. and learned Friends who so ably and so eloquently represent the University in this House; but, Sir, in the presence of my two hon. and learned Friends, I must say deliberately that the system of education offered by Trinity College to the Catholics of Ireland is neither more nor less than an organized attempt to bribe them to do, or to allow, or make their children do, what they know to be wrong—to bribe them, that is, by the offer of educational facilities of prizes and scholarships, and even by dangling before them the prospect, very distant, I admit, of a possible Fellowship; and, Sir, we know how difficult it is, especially in these days when education is so necessary, to resist such inducements. Of course, I need hardly say that in using the word bribery I do so not in any personal or offensive sense. I am merely trying to express, as accurately as I can, what I believe to be the case. Now, I am always very unwilling to suggest a comparison which may, even at first sight, appear extreme; but I must say that the more I consider this system, the less I can see what difference there is in kind between it and the old system on which the penal laws were founded. Because we all know that at a very early period in their existence, these laws ceased to inflict death or physical torture for religious opinions. In their most developed and advanced period, they became an elaborate system for literally bribing Catholics or Dissenters, by the offer of civil rights and liberties, and by the threat of being deprived of those rights and liberties, to leave a religion they believed to be true, and to conform to one they believed to be false. Of course, I admit the difference in degree; but, surely, liberty of conscience is not a question of degree? It is one of principle if anything is; nor, I think, does this House desire or claim to oppress consciences any more in small than in great matters. Professor Cairns reminds us, however, that some Catholics do send their sons to Trinity College and the Queen's Colleges, and hence, it is argued, it can be no violation of conscience. But that is a strange argument. For might it not as well be contended that because, under pressure of the penal laws, some Catholics did, as we know, conform to Protestantism, therefore, that pressure entailed no violation of conscience—which is absurd. This brings me to the most important part of the question. How far is our grievance practically felt?—that is, are we justified in maintaining, as we do, that to submit our children to a secular system of education is to expose to serious danger, if not to entire subversion, religious opinions which we think it essential they should hold? I think a moment's consideration will show that this position is not so unreasonable as it may at first sight appear to some people. I need hardly remind the House that the tone and tendencies of modern thought are diverging daily more and more from that older teaching, in which dogma, and revelation, and some sort of supernatural religion, were—as we think they ought to be—cardinal points. To illustrate this needs only the mention of such names as those of Mr. Mill and Mr. Bain, Professors Huxley and Tyndall, Auguste Comte, Mr. Herbert Spencer, and so many more leaders of modern thought, who, though differing among themselves, all agree in this general direction. This is also so happily illustrated in a sentence, as yet unpublished, which fell lately from one of the foremost thinkers of the day—one, I may add, whom we are proud to claim as English, by adoption at all events—I mean Professor Max Müller—that perhaps the House will allow me to quote it. Speaking, as I am now, in illustration of the tendency of modern thought, he said—

> "Every day, every week, every month, every quarter, the most widely-read journals seem just now to vie with each other in telling us that the time for religion is past; that faith is a hallucination or infantile disease; that the gods have at length been found out and exploded . . . . that we must now be satisfied with facts and finite things, and strike such words as 'infinite,' 'supernatural,' 'divine,' from the dictionary of the future."

I think that the House will agree that this expression is as true as it is picturesque. Further it must be remembered that, of all the old systems, to none is this tone of thought more antagonistic than to ours. Views in accordance with it will, of course, prevail in educational institutions under a secular system, and they will work not only through the medium of Professors and lecture halls, but through the influence of the students on each other, and through the very atmosphere and tone and spirit of the place, which they must necessarily permeate. Therefore it is that, while to attend such teaching is not in itself equivalent to giving up religion, it is so grave a danger that, according to our principles, nothing can justify it except extreme necessity. Now, do you desire, or are you in any way justified in, forcing that extreme necessity on us? I do not believe you are, and therefore I contend that it is not unreasonable in us to protest and rebel against the application to Ireland, under present circumstances, at least, of what we are told is to be the future and immutable policy of this country in regard to education—that under no circumstances will the State give aid or endowment to any class or religious denomination as such. But here we are met with another objection. We are told—"You are very inconsistent; you are always asking to have the same laws applied to Ireland as to England, and yet, when we do apply them, you are not content." Sir, it is quite true, we do ask to have the same laws for Ireland as for England; but we ask for the same laws in effect, and not merely in words. There is nothing more disingenuous than to apply a formula of words to circumstances in themselves totally different, and to argue that you are producing the same effect. I can illustrate this in a moment. We all know what a powerful body the Church Party are in this country; we see their numerous Representatives in this House, many of them sitting opposite to us; and I am glad to think that, in these matters, at all events, they represent the opinions of the vast majority of this country. We know the views of that Party are just as strong as ours can be, as to the necessity for some connection between religion and education. Well, in the old Universities, and in that vast network and ramification of intermediate and grammar schools all over the country, they have ample scope and room for the fair application and development of their legitimate convictions; and, therefore, it is quite natural that they should assent to a policy which does them no injustice. But I should like to know this. Supposing that, by some freak of fortune, they were to find themselves suddenly placed in the same position as we are—that is, at the mercy of a system not merely indifferent, but in its working positively hostile and destructive—would they, in that case, with their numbers, with their influence, with their wealth, for one moment submit to such a policy? I am sure they would not. And is it right to ask us to submit to it merely because we happen to be weaker and poorer, though equally numerous in proportion? All we ask is a fair field and no favour; but we do ask to get a fair start, to be put on the same footing as others; we shall then be able to take care of ourselves, and shall be perfectly willing to accept a policy which will no longer place us at a disadvantage. But, Sir, I would also make an appeal to hon. Friends of mine on this side of the House, who combine with great zeal in the cause of education strong views as to the advantages of an entirely secular system, which they would like to introduce not only into Ireland, but into England and Scotland. Now, I would submit to my hon. Friends, whether, as they are not strong enough to force this system on England and Scotland, it is fair or generous to take advantage of our poverty and weakness to force it on us, and thus to keep us in a position of educational and religious inferiority to English Churchmen? But I would also point out to them that it is illogical besides, for that poverty and weakness, of which advantage is taken, are the direct results of the past oppression and misgovernment of Ireland, which my hon. Friends themselves are the very first to regret and deplore; and I do them the full justice to say that they have done a great deal to remedy some at least of the results of that unfortunate past; so that it is an illogical thing to use against us the consequences of those very antecedents which you deplore. But there are, I admit, two or three difficulties too serious to be passed over, but which, I think, I can, in a very few words, considerably smooth down; and I allude to them now because they appear to be felt especially by the hon. Gentlemen to whom I am appealing. Some of my hon. Friends are afraid that if the State were to do justice to our demands, by establishing a denominational University, such an Institution might fall too completely under the control of the Catholic Clergy. Well, to that my answer is very plain. I do not speak here with authority from anyone; but I have some knowledge of the opinions both of the laity and clergy, and of some of the most influential persons among the latter; and I say, without hesitation and without fear of contradiction, that neither laity nor clergy ask for, nor desire, nor would accept, any such control as is here indicated. Why, Sir, our clergy are the first to recognize that the secular education of men of the world must to a great extent, especially in these days, be developed and controlled by men of the world, who are versed in, and have themselves received, such an education. What we do ask for, and less than which we cannot and will not accept, is that necessary amount of control by the authorities of our Church which shall guarantee to us that the education shall be thoroughly Catholic in tone and spirit. We do not claim, we should not agree, to exclude a single branch of learning from our *curriculum.* We all recognize, and the clergy as much as any of us, that knowledge ought to be universal, and to include every aspect of knowledge; in fact, that knowledge of truth is not complete without knowledge of error. Only we claim to teach what we call truth as truth, and error as error, instead of leaving it to the accident of a Professor's own opinions—who may this year be a Comtist, next year a follower of Mr. Mill or Mr. Herbert Spencer, and the following year, perhaps, a Materialist or an Atheist—to inculcate what he pleases. We have a canon on which we claim to rely, and we consider we have a right to insist that our children shall be taught according to that canon. I appeal to everyone, whether our opinions, thus stated, fairly lay us open to the charge, so often made against us, of trying to keep up and revive a sort of mediæval obscurantism? Why, if those who make that charge would only investigate our opinions for themselves, they would see how utterly unfounded it is, and I trust they would have the candour to recognize its injustice. It is further objected, however, that under such a system public money might be spent in the direct teaching of religion. To that I can give an unqualified contradiction. We would guarantee that not one sixpence of public money should be devoted to anything but secular teaching. The necessary religious teaching would come from private sources. Of course, in such an institution, secular teaching would have a general tinge of religion through it; but that is the characteristic of denominational education, and would not, I understand, be objected to. But it is also urged that to establish such an institution might not be for the real interests of education in Ireland, for that the standard of learning might not be kept up to the proper level. To that, I can only say that we should be not only willing, but desirous, that the State should have such fair control, and take such securities, as should guard, as far as possible, against such a danger. That such securities might be devised is evident. This is not the moment to discuss in what form they might be most effective. That would depend upon the circumstances under which a denominational University was established; the State might, however, exercise control over the examinations; it might appoint a certain number of examiners; it might lay down rules and conditions under which degrees should be given. At all events, I undertake that we should co-operate heartily with the State, in securing that it should get full value in secular education, for every sixpence of public money which might be granted. And now, Sir, I have only one word to add. It is with reference to statements made at various times by the right hon. Gentleman the Member for Greenwich; whose name, after all, is so intimately associated with all that is most hopeful in modern legislation for Ireland, that it is difficult to speak on such a subject as this without some allusion to him. Sir, no one has more right than the right hon. Gentleman to express an opinion as to the results of that legislation, in which he has borne such a part; and, certainly, I can say that no one's opinion is looked for with more eagerness and interest in Ireland than his. He has expressed that opinion very fully on more than one occasion. I think it was this time last year he did so at Birmingham, and again more recently in a great speech he delivered at Oxford in the winter; and on both occasions he expressed regret that after all he and his Friends had done for Ireland, the condition of that country, and I think he said especially the condition of the Irish Representation in this House, was not quite so satisfactory as he could desire. I am sure, Sir, I am not doing the right hon. Gentleman more than justice, when I say I think that expression arose not from the mere selfish regret that the Liberal Party were no longer able to count, as they hitherto could, on the support of the great majority of the Irish Members; but that it came from the broader and more generous regret, that so considerable a proportion of the representation of these three united Kingdoms, should appear to be alienated, or I will say removed, from cordial co-operation with one or other of the great Parties in the State, in what is surely the noblest outcome of Parliamentary life, the emulation and rivalry of Party in developing and advancing the interests of a great common Empire. That, Sir, is a regret which we may all share. But I would ask the right hon. Gentleman whether, when he considers the position in which we are placed with regard to this question, to say nothing of any other question, he can wonder if we find ourselves driven into some such course as he indicates? Because, if he is astonished, I would ask him whether he can suggest any alternative which we have not tried, any ordinary Constitutional means which we have not exhausted? Why, my hon. Friend the Member for Roscommon has shown, in his complete and able statement, how we had exhausted every course, *usque ad nauseam*—and with what results? Sir, I am sure the right hon. Gentleman is not one to under-estimate the immense value of the boon for which we are seeking—namely, religious equality. It is one of those boons which benefits, I think, as much those who give it as those who receive it; but it is also one that those who would win and enjoy must show themselves worthy of, by being ready to labour for it, even, if necessary, under trying and painful conditions. I cannot, of course, foretell the issue of this struggle. It may not be more in us than in other mortals at any given moment to command success; but of this I am sure, and I know my countrymen enough to say it, that they will, by their determination and their perseverance, show that, at all events, they deserve, and will continue to deserve it.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the present condition of University Education in Ireland is most unsatisfactory, and demands the immediate attention of Parliament, with the view of extending more generally and equally the benefits of such education,"—(*Mr. Blennerhassett,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. KING-HARMAN, in supporting the Amendment, said, the fact that the question demanded the attention of the House had been proved by the repeated attempts which had been made to bring it before the House by means of Bills and otherwise. It had been asserted that a portion of the people of Ireland were not in favour of granting higher education to Catholics, but he never heard such a statement made in Ireland or by an Irishman. For the objection which had been urged to the system of University education desired by the Roman Catholics, that it would place education in the hands of the priests, no ground had been shown. No sane Irishman, possessing education himself or appreciating the advantages of education, would do what the opponents of Catholic education in Ireland asserted would be the effect of the proposed change, and allow the entire education of the rising generation of the country to be handed over entirely to the priesthood without any supervision on the part of the State. The people of Ireland, he believed, would decline to send their children to be educated at Colleges conducted on any such system, and such Colleges would not pay. The people and the priesthood, too, were perfectly able to understand that, and all they demanded was a better system than now existed, in order that the children might receive a comprehensive and not a dwarfed and bigoted education. He agreed generally that as regarded their education the Catholic youth of Ireland were not placed on a fair footing with their Protestant countrymen—that they had to start in the race of life unfairly handicapped and weighted, whereas it was the duty of the State to deal equally with all classes.

Mr. JOHN GEORGE MacCARTHY: As I do not often trespass on the attention of the House, I hope you will allow me to tell you calmly and frankly what is thought on this subject by Catholics of the middle class in Ireland. Of course, hon. Members from this side of the Channel cannot know this of their own knowledge. The great majority of the Members of the House—that majority with whom the decision of all questions respecting the most important and intricate domestic concerns of Ireland ultimately rests—have never even set foot in Ireland. Such Members can only form their opinions of Irish affairs from Blue Books, Parliamentary debates, and newspaper articles; or, to use the German phrase, they evolve their conclusions from the depths of their own consciousness—an obviously hazardous process. Hon. Members who do favour us with an occasional visit come to see the Giant's Causeway, the Phœnix Park, and the Lakes of Killarney, or to get a little hunting or fishing. We try to make them as pleasant as we can, and to bore them with our grievances as little as possible. They know scarcely anything of the problems which weigh on an Irish father's heart, and are discussed in family council at Irish firesides. But I believe you would like to know. You do not wish to do us a cruel injustice. You would be fair to us if you knew how. Above all, you do not seriously intend to curse our homes and our children's lives with the deadliest of all curses—the curse of ignorance. Now I have some right to speak for Irish Roman Catholics of the middle class. I belong to that class. I know all about it from my earliest years. You may rely on what I tell you. I am not a politician in any Party sense. I have no quarrel with anybody in this House or out of it. I want nothing from anybody in this House or out of it. On account of professional duties I am rarely able to attend here. When I come it is to try and do some good, and there is scarcely any good I have so much at heart as that which is involved in the question now before you. Listen, then, while I tell you how we Irish Roman Catholics of the middle class are circumstanced in this matter, and how we feel about it. Having made some money in commerce or in the professions, we are intensely, perhaps unduly, anxious that our sons should obtain the advantages of the higher intellectual training from which, owing chiefly to the defects of your past legislation, we ourselves were debarred. We are, at the same time, honestly attached to our glorious old Church, and we would not, even to secure for our sons the advantages of education, violate our religious convictions. The problem, then, with us is how to get for our sons the advantages of the higher culture without sacrificing our religious principles? This ought not to be an insoluble problem, seeing that it has been solved in nearly every Christian age and country. Looking around us, then, we see the State has, in fact, furnished munificent endowments for academic education in Ireland. There is Trinity College, with its £60,000 a-year, fed by endowed schools with an annual income of over £70,000 more. I do not say a word against Trinity College — the illustrious *Alma Mater* of Boyle and Berkely, of Goldsmith and Moore, of Grattan and Flood, of Galbraith, of Lecky, and of Isaac Butt—an University so brilliantly represented by both the hon. Members who sit for it in this House. The only thing I have to observe about Trinity College is that we Irish Roman Catholics are virtually excluded from it. In its traditions, in its government, in its habits, in its moral atmosphere, Trinity College is Protestant; in theory it has latterly become Secularist. To both Protestantism and Secularism, but especially to Secularism, we Irish Roman Catholics have conscientious objections. We have no quarrel with our Protestant or Secularist neighbours, but we object to our sons being reared on the Protestant or Secularist system, just as you would object to your sons being reared on the Catholic system. Hence, as a matter of fact, and by the necessities of the case, we are virtually excluded from Trinity College with all its splendid endowments, its able teaching, and its well-won ancient fame. Turn now to the Queen's Colleges. These offer us great advantages, and, in many respects, just of the kind we want. They have palatial buildings in three of our provincial cities. They give excellent education almost for nothing. Their Professors are able, learned, and zealous. They offer prizes and scholarships with both hands. They grant academic degrees with a charming facility. They have some £40,000 a-year from Parliament. But they are founded on a principle to which it is notorious we, Irish Roman Catholics, have conscientious objections. I am not here to argue the theological grounds for these objections. It is enough that we hold them, and we are entitled to hold them. We have as good a right to our religious principles as any other subjects of the Queen —nay, as the Queen's Majesty herself— and we have a right, too, that these convictions shall place us under no Civil disability whatever. Hence, by the necessities of the case, and as a matter of fact, we are excluded from the Queen's Colleges just as we are excluded from Trinity College. Where, then, in Ireland, are we to send our sons for University education? There is absolutely nowhere. You have, practically, closed against our sons the doors of all your State Institutions, by refusing to open them except on conditions which you know we cannot conscientiously accept. In this difficulty, we subscribed a large sum to get up a

University of our own. But you refuse this Institute the slightest status as a University. You will not give a shilling of endowment, or the power of conferring the humblest degree. Hence, it is no rhetorical exaggeration, but the strictest and most measured statement of the fact, to say that as matters now stand you virtually exclude our sons from the advantages of the higher education. It is a virtual exclusion to grant a thing only on a condition which you know cannot be accepted. It reminds one of the generosity of the famous Governor of Valladolid who told the Jews settled in that city that they should have plenty of meat, but on one condition—it must be all pork. You will give us plenty of education—plenty, but on one condition—it must be just of the peculiar and exceptional kind which you know we cannot conscientiously accept. Of course, a few of us are tempted by the advantages you offer to disregard our religious convictions, just as I suppose some of the Jews of Valladolid were tempted by the sweet odours of roast pork. There are 75 Roman Catholic lads in Trinity, and 225 in the Queen's Colleges—300 University students out of 4,000,000 of Irish Roman Catholics. But these are only the exceptions which prove the rule. Three hundred students out of 4,000,000 are an utterly miserable proportion. Scotland, with a lesser population, yields 4,000 University students. Bavaria, with a lesser population, yields 8,000 University students. Of the total population of Scotland, 1 in every 1,000 enjoys University education; in Germany, 1 in every 2,600; in England, 1 in every 5,800; but of the Roman Catholics of Ireland there is only 1 University student in every 15,000 of the population. These, then, are the facts of the case. Permit me now to point out some of the results of this state of facts. One result is that Irish Protestants have a virtual monopoly of the advantages of University education in Ireland. We Irish Roman Catholics do not grudge our Protestant fellow-countrymen any real advantages whatever. We would wish to multiply those advantages a hundredfold. But we do grudge them monopoly. We do protest against ascendency. In this matter you give them a present monopoly, and you provide for them a future ascendency. £60,000 a-year for Trinity College, £70,000 a-year for Endowed Schools, £40,000 a-year for the Queen's Colleges, £30,000 a-year for Model Schools—all these vast endowments are supplied for what is, practically, the almost exclusive use of one-fifth of the Irish community, and that precisely the fifth, which, by its wealth and its traditional culture, is least in want of endowment. This House boasts of a generous instinct for fair play. I ask, is this fair play? This House boasts of its staunch adherence to the principle of religious equality. Is this equality? Why adjust your endowments for academic education, so that, practically, the Protestant minority get all, and the Catholic majority nothing? But there is more in the matter than present disadvantage. There is future ascendency. Having abolished Protestant ascendency of one kind, you are steadily creating a Protestant ascendency of another kind—a kind far more powerful, more splendid, and more enduring than the former, because it will be an ascendency of knowledge over ignorance, of trained and cultivated intellects over intellects that you have virtually excluded from the higher training, and the nobler and more liberal culture. Anyone acquainted with Irish affairs knows that this influence is operating. Already you have handicapped our sons in the race of life; you stamp them with social and intellectual inferiority. Trinity College, the Queen's Colleges, and the endowed schools, are sending out Protestant lads every day who have been thoroughly trained at the expense of the State, and who have wisely and honourably availed themselves of that training. *Caeteris paribus*, these lads must carry off the prizes of life from those whom the State virtually excludes from its Universities and Colleges. I once called your attention to wasted land, I now call attention to wasted intellect. In all our towns and districts, there are thousands of lads growing up in ignorance and indolence who, if they had received fair educational advantages, would be in receipt of good salaries, and in the discharge of useful duties. Nor is this confined to Ireland only—the disadvantage follows our lads to the Colonies. In a celebrated letter, Sir Gavan Duffy has told us how his heart gets sick at seeing the troops of Irish Roman Catholic lads seeking their fortunes in the Colonies, full of pluck and of natural talent; but with almost every avenue to fortune barred against them by their inferiority in education. Again, permit me to point out that those whom you virtually exclude are precisely those to whom, on account of the admitted errors of your past legislation, this House owes the amplest reparation. Remember, you actually forbade knowledge to our fathers. You made it a felony for any Irish Catholic to teach. You made it misdemeanour for an Irish Roman Catholic to learn. You maintained these disabilities for generations. Their results still remain. We Irish Roman Catholics have not the traditional culture, the long-descended lore of those for whose education the State has always munificently provided. Even those of us who have become learned, like those of us who have become rich, want the refinement which only the ages mature. Hence, as Lord Emly recently pointed out, we have a clear case for compensation—

> "If you stopped for one week," says his Lordship, "the water that irrigates your neighbour's fields, you would be mulcted in substantial damages. How much more are they bound to make reparation who have cursed with barrenness the intellect of a nation for the lives of many generations?"

Again, permit me to point out, this evil, so far from being limited to University Education, only commences with it. The University is the keystone of the academic arch. Remove it, and the whole educational edifice tumbles into confusion. Listen for a moment, while I read for you a brief extract from the Report of Lord Taunton's Commission, showing how the Scotch Universities influence the whole intellectual life of Scotland—

> "In every corner of Scotland—in the Islands as well as in the Highlands, among the shepherds of the Grampians and the fishermen of Argyleshire, as well as among the weavers of Paisley and the colliers of Ayr and Dumfries—the influence of one or other of the four Universities is keenly felt, not merely through the connection of the parochial schoolmasters—many of whom take University degrees—and the Governors of their churches with the Universities; but because the cheapness and the elementary character of University education renders it accessible to a very large proportion of the population, and the desire to attend the Universities is so strong and so active as to be a real cultivating force amongst the whole population. The poorest rural school strives to prepare its pupils for intermediate schools, or for the Universities. Schools in general are better attended on account of the stimulus given by the Universities to the desire for knowledge; the prospect of concluding his education with a University course, and of winning a competitive course is present to the mind of every clever boy of every class, even the poorest throughout the whole Kingdom."

It is thus a University in harmony with the wishes and sympathies of the people's works. Take the converse of all this, and you will see what you have done for education amongst the Roman Catholics of Ireland. One of the chief organs of English opinion, *The Pall Mall Gazette*, has recently declared that—"It is hardly possible to exaggerate the destitution of the Roman Catholics of Ireland in respect to education." Primary education, intermediate education, collegiate education, are all in confusion. The Lord Lieutenant recently called attention to the astounding fact that there is a third of our population which does not even know how to read. Your own Census Commissioners report to you that—

> "Something essentially wrong underlies the whole system of public instruction in Ireland." That the "higher intellectual life of the country is starved and dwarfed," and that "not a moment is to be lost before those upon whom the care lies should apply their faculties to the infusion of blood and spirit into the dry bones of public instruction in Ireland."

But the system has larger than even educational results. The monstrous and cruel injustice of refusing to our sons the advantage of the higher education, except on a condition which you know we cannot conscientiously accept, is producing amongst the middle class in Ireland a rankling sense of injustice, which may have the most disastrous ulterior consequences. There seems to them no resource from one or other of two conclusions. Either this House is utterly incompetent to understand Irish affairs, or else it is deliberately sacrificing to the dictates of an ignoble bigotry the educational interests of 4,000,000 of the subjects of the Queen. It is utterly absurd to deny the existence of this grievance. Nearly all your greatest Parliamentary authorities have long ago admitted it. Ten long years ago the late Lord Mayo, as Chief Secretary for Ireland, on a debate on Mr. Maguire's Motion, is reported by *Hansard* to have said—

> "There exists a large class in Ireland to whom the system adopted at neither University —that is of Dublin or the Queen's—is accept-

able, and who therefore decline to avail themselves of the advantages they offer. There is a large number of persons who object to send their sons to a University where the only religion taught is one that they do not profess, and there are also many who will not send their sons to a College where religious teaching does not form a portion of the system of education. Are these objections unreasonable? I ask this House to consider whether there are not many among us who would have the same objection to send their sons to Universities where the Roman Catholic religion alone was taught, or where all religious instruction was studiously omitted."—[3 *Hansard*, cxc. 1382.]

And in a Memorandum drawn up in March, 1868, and printed by order of the House of Commons, he said—

> "A just claim exists for the creation of a University of a denominational character, which would offer the like advantages to those whose conscientious scruples prevent availing themselves of the instructions offered in the Trinity College and the Queen's Colleges."

The right hon. Gentleman the late Prime Minister is reported by *Hansard* to have said, 10 years ago—

> "I think we feel now, that the Roman Catholics of Ireland . . . . have, with respect to education, a real and admitted grievance—namely, that if they seek for their children that kind of education which is called denominational, they are subject to detriment in regard to certain civil rights on account of their conscientious belief. I need not say that in my view no new method of dealing with the higher education in Ireland can be satisfactory, which shall not provide an effectual remedy for that real grievance. . . . Above all, if we be just men, we shall go forward in the name of truth and right, bearing this in mind, that when the case is proved, and the hour is come, justice delayed is justice denied."—[*Ibid.* 1750-1771.]

The present Prime Minister was not less explicit. In the same debate, 10 years ago, he said—

> "I am of opinion that there is but one mode by which you can supply the grievous want that has been so long complained of by the Roman Catholics of Ireland—namely, that they cannot enjoy the advantages of a higher education under the influence of their own priesthood, and that is by the establishment of a Roman Catholic University. And I want to know on what ground of justice such a proposition can be refused."—[*Ibid.* cxc.1777.]

I now earnestly ask all who wish well to Ireland to give this question a frank and generous consideration. It concerns nothing less than the utilization and development of the intelligence of the whole Kingdom, now running to waste. You love liberty, do not deny to your fellow-citizens the liberty which is of the essence of all liberty—liberty of education. Of old the sumptuary laws decreed that a man should wear only one particular cut and colour of coat. This was mildness itself compared with decreeing that a man should be educated only in one particular shape and hue of mind. If a choice must be made, regulate the coats if you will, but let our minds be free. You hate persecution for conscience sake. This is persecution for conscience sake. On principle, it is just as clearly persecution to deny a right as to inflict a wrong. You denied education to our fathers; surely, you will not persist in denying it to our sons! Whatever may be the faults of the Irish people, their bitterest enemy has never denied them a passionate love of knowledge. Time was when your ancestors came to Ireland to learn, when our ancestors went to England to teach. In the dark penal days, when your law made learning a misdemeanour, and teaching a felony, we kept the sacred lamp of knowledge burning in the poor mud hut and by the bleak hill-side. In latter days, we strained every nerve to get our children the culture we love; but you deliberately render our efforts fruitless, by refusing the legal sanction and public endowment which you only can give. After all, is it so unreasonable to ask you to concede to the Irish Roman Catholics what even Prince Bismarck still concedes to the German Roman Catholics, and what you yourselves freely grant to the Catholics of Australia and the Catholics of Canada; nay, to the Pagan Hindoos. I know the Hindoos are just now great favourites, and I wish to speak of them with all respect and to treat them with all justice. But I venture to suggest that if a time of real danger to the Empire came, it would be better to have at your side the well-tried valour of the Irish race than all your dusky legionaries from Indus or Ganges. Is it so unhealthy for a great community to have its children reared religiously? Is it the function of Parliament to prevent men being reared religiously. In France, a great orator and politician recently declared—

> "The notion of God is the root of all social error; we must give God notice to quit; above all, we must expel Him from the schools; we must take care that the new generation shall not know God."

Surely, this is not the doctrine to be

practically adopted and enforced by the British House of Commons. Sad, indeed, would be the day when such a creed rules this House. Even the wise old Pagans knew better than this. In sweet and stately eloquence, Plato taught the Greeks, and Cicero the Romans, that nations grow great, and calm, and free, not in proportion to their armies, or their navies, or their treasures, but in proportion as religion grows in the hearts, and virtue in the lives, of the people. Every State, every society, all order, every man's rights, the peace of every home, the safety of every woman depends on two things, and on two things only—physical force and moral principle. Unhappy is the State that depends on physical force alone. To such State will come, as to such States even in our own days have come, ruin, and blood, and robbery, and shame. But happy is that land—whether it be rich or poor—where religion reigns in the hearts and homes of the people, maintaining order not by feeble and transitory force from without, but by the strong and abiding principle within, curbing the vagaries of intellect, restraining the power of passion, making man more manly, making woman more womanly, making all more wise and gentle; teaching moderation, and justice, and obedience to law as only religion can teach them, and illumining the dusty, weary ways of common life with the hopes and the radiance of another world.

Mr. PLUNKET said, he should not trouble the House at any length, as he had already had several opportunities of speaking on the subject, but he felt bound to make a few remarks, since the question closely affected the University which he had the honour to represent. While he was well satisfied with the moderation with which the hon. Member for Roscommon (the O'Conor Don) had brought the question before the House, and admitting that moderation had distinguished the utterances of some of the hon. Members who had supported it, he could not allow that the arguments of some of those hon. Members were strictly accurate. The Resolution of the hon. Member for Roscommon was one which stated that University education in Ireland was unsatisfactory, and called upon the House immediately to deal with the subject. He was aware that the deficiency of Irish University education had often been described in that House in glowing terms by eminent men; but when they came to facts and figures, and set aside the religious grievance — although he did not say there was not room for improvement — he thought they would see that the position of University education in Ireland was not extremely unsatisfactory. The facts were stated in the course of a former debate on the same subject by the right hon. Member for the University of Edinburgh (Mr. Lyon Playfair), and he did not remember that the statement then made had been contradicted since. The figures stood thus — In England there was 1 University student in 3,700 of the population, while in Ireland where was 1 for every 2,800 of the population. Ireland was, therefore, better off in that respect then England, while, he admitted, Scotland was better off still, having 1 University student in 860 of the population. But when his right hon. Friend the Member for the University of Edinburgh came to test the question by the number of Art degrees conferred after examination, he showed that not only was Ireland better off than England in that respect, but that she was better off even than Scotland — the number produced annually being for England, in one year, 750, or 1 in 30,000 of the population ; in Scotland, 130, or 1 in 26,000; in Ireland, 338, or 1 in 16,000 of the population. Well, that being so, he came to the question whether the Roman Catholics of Ireland were in an unfair position as regarded the number of their University students. He did not mean to deny that there were a certain number of Roman Catholic young men not attending a University who would go to a recognized Roman Catholic University if there were one. What he said was this, that hon. Gentlemen who supported the Motion ought to be able to make out a strong case. How did the case stand? Was it contended that the University endowment for the Roman Catholics should be proportionate to that enjoyed by the other denominations? Well, if they took the basis of the population, the argument would carry them too far. If, on the other hand, they took the number of the classes at all likely to contribute to the number of University students, then, unfortunately, the argument could not carry them far enough. This he did not assert in any sprit of ascendency. It was a well known fact that in the upper classes in

Ireland, in the Professions, and even in the upper middle class, there were not a sufficient number of Roman Catholics to sustain the argument put forward by hon. Gentlemen opposite. But then it was said—What about the Divinity schools? As the case had been presented, there were a vast number of Roman Catholic students studying for the Church, but not in a University. That fact cut against the argument used as to proportion. He should be glad that all possible inducements should be held out to Roman Catholic young men studying for the Church to attend a University. But what was said when the Irish Church was disestablished and disendowed? Did the proposition now made amount to this—that the Irish Church having been disendowed, Maynooth should be re-endowed? If that were so, it ought to be declared. He had to complain that hon. Gentlemen opposite never stated what they actually desired. They said—"Oh, only make a proposal, and you will find us most conciliatory." What they ought to do was to state plainly what they required. Did they require that Roman Catholic Divinity students should be separately educated —separately, as regarded the lay students of their own Church? Was that system to be maintained? But the real reason, in his opinion, why there were not more Roman Catholic University students, was that there were not greater facilities in existence for good intermediate education. In that view, he quite concurred with the right hon. Gentleman the Member for the University of London (Mr. Lowe). They had the promise of Her Majesty's Government that they meant to deal with that question; but if the Estimates were discussed over and over again, as they had been, it would be impossible for the Government to carry out their undertaking. This he believed, that strict denominational endowments were impossible, and those who expected them would be disappointed. He must further say that some of the statements made by the hon. Members opposite would mislead, if they stood alone, although he was sure there was no intention to mislead. There were at present in the University in Dublin a considerable number of Catholics availing themselves of all its advantages. So there were many Catholics in the Queen's Colleges. He would not be certain about the exact figures. There were at present in the Queen's Colleges 886 students, and of these 230 were Catholics. In Dublin University there were 1,200 students, and of these about 100 were Catholics. Of course, that was a very great disproportion, and he was not prepared to say that there was nothing to complain of; but he thought he had said enough to show that, as a practical question of figures, the case had been overstated. The hon. Member for Roscommon had referred briefly to the history of the question, and it was well known that almost every Government for the last 30 years had endeavoured to deal with it. When the Queen's Colleges were founded, it was supposed that the difficulty had been settled, and it was at that time believed that the demands put forward in this House on behalf of the Leaders of the Roman Catholic Church had been fairly met. He would not dwell on the disastrous episode in the career of the right hon. Gentleman the Member for Greenwich; but, in all the attempts which had been made there was one thing wanting, and that was a definite undertaking as to the amount of control which was to be given to the authorities of the Roman Catholic Church. That was the real difficulty which arose, and he was afraid if the temper of the dignitaries of the Roman Catholic Church was the same now as it was during Lord Mayo's time, the prospects of a settlement had not improved. The hon. and learned Member for Limerick brought in a Bill remarkable for its ingenuity, but what did it all come to? It amounted to vesting absolute control in the most important matters in the Catholic Hierarchy. The appointment and dismissal of Professors, books to be admitted and excluded—all that power was, in the last resort, vested in the Archbishops and Bishops of the Catholic Church. At this time of day, and in the face of Oxford and Cambridge, and the Universities of the Continent, the astounding proposal was made that no book was to be added to the Dublin University except with the consent of the Roman Catholic Bishops of Ireland. Everybody knew no Government would sanction such a retrogressive step as that. It was not fair of hon. Members now to come forward and say—"Unless you proceed to deal with this question you are doing a great injustice to Ireland," when hon. Members knew very well that successive Governments had done their best to grapple with the question. He did not wish to say a word which might prejudice any fair proposal that might be brought forward in the sense suggested by the right hon. Member for the University of London. On that proposal, he would not at present offer any opinion favourable or unfavourable to it. But it was said that if they would not level up, they must level down; he had no fear that such a gloomy forecast of prophecy would be realized. There were, as he had said, at the Queen's University 886 students, of whom 230 were Roman Catholics; and at Trinity College, Dublin, 1,200 students, of whom about 100 were Roman Catholics; and at these Universities the students were receiving an education in all respects equal to that given at the Universities of England and Scotland. They were, probably, receiving a more practical education for the work-a-day wants of the Irish people than Oxford or Cambridge would afford them. The two Irish Universities were now absolutely open and free; they were not, by tests or otherwise, more inaccessible to one religious denomination than another; as a matter of fact, many Catholics did attend them; was it not then most unreasonable to say that they should be interfered with because there were other Roman Catholics who would not avail themselves of the advantages they offered? The £43,000 of endowments enjoyed by Trinity College was employed so as to confer the fullest advantage on the 1,200 students, they were provided with museums and libraries, commons and chambers, and all the ordinary incidents of University life, and fair encouragement in the way of prizes. But there were no sinecures; all the Professors and tutors were teaching Professors and all the fellows tutor fellows; full value was given for every penny received. A vast amount of light was being given out from day to day by the assistance and under the protection of State endowment; and that all this life, energy, and usefulness should terminate because some Irishmen would not benefit by them, was a proposal which no man would venture who realized what such advantages were worth, and which certainly no Irishman would make who knew the history of the University. It anticipated the other Universities in admitting all to its degrees, and reformed its Governing Body. There had been a steady increase in the number of Roman Catholic students since the disestablishment of the Irish Church. In the preceding eight years the number was 175, and in the subsequent eight years the number had been 254. Whatever else might be done by the House, he felt certain it would regard wild proposals of wholesale destruction as having no foundation in reason, and as opposed to common sense and to the interests of the country. The Governing Body of Dublin University were ready to accept all suggestions that could be made for furthering the policy on which they had entered. He had no wish to oppose the full and fair consideration of all the arguments which had been adduced by hon. Members opposite; but he must maintain that no case had been made out for the disendowment of all existing University Institutions, and he should support the Government if they felt inclined to meet the Resolution by moving the Previous Question.

Mr. SYNAN said, he must deny that the Roman Catholic Prelates had, as was alleged, impeded the settlement of this question by their unreasonable opposition. It was true that there was a diplomatic conference between the Irish Catholic hierarchy and the late Lord Mayo, in which the latter had the victory. But it would be admitted that in that kind of encounter the victory did not always incline to the right cause. It appeared that the Irish Bishops had, in the opinion of Lord Mayo, asked too much; and he at once, without giving them the opportunity of moderating their proposals, broke off the correspondence, in order to conciliate a powerful Opposition and a discontented party of supporters. He thought Irish Members had reason to complain that the House had refused to read the Bill of the hon. and learned Member for Limerick a second time, although the objections raised to it in debate were such as were only suited for discussion in Committee. However, the interest excited by former debates on the subject was greater than that now indicated by empty benches, which were no augury for the success of the Resolution, particularly after the speech they had just heard. His hon. and learned Friend (Mr. Plunket) who had just spoken contended that the supporters of the Resolution had made out no case, and, taking the statement of the right hon. Member for Edinburgh University, said that the proportion of University students and graduates in Scotland was less than in Ireland. But the fact was that Scotland, with a population of 3,360,000, had 5,000 students, while Ireland, with a population of nearly 6,000,000, had only 1,900. Thus it appeared that Scotland had nearly three times as many students as Ireland. The number of lay Catholic students in Ireland passing through intermediate schools was 1,413, but how many were in the Universities getting degrees? According to his hon. and learned Friend, 100 in Trinity College, but the Returns showed there were only 75; while in the Queen's Colleges there were 230, so that there was a proportion of nearly 1,500 students to 305 who were seeking degrees. His hon. and learned Friend had said that there was no real grievance. But the Declaration of 1870, which was signed by two lieutenants of counties, 30 deputy lieutenants, 300 magistrates, 10 Queen's Counsel, 500 or 600 mayors, town councillors, and Poor Law Guardians—classes which supplied students—declared that there was. This was not all. The right hon. Member for Kildare (Mr. Cogan) presented a Petition the other day upon this subject, having the names attached of six Peers, 352 deputy lieutenants and magistrates, 40 Members of Parliament, and 33,978 members of corporations, Poor Law Guardians, and landed proprietors. Yet, in the face of these two documents, they were told that the people of Ireland had no grievance on this matter. What were the numbers of the Roman Catholic population? 4,500,000. How many students in the University represented that population? Only 305. The Declaration of the Roman Catholic laity proved that this was not an ecclesiastical or an imaginary grievance. What was the reason Catholic parents did not send their children in greater numbers to these Institutions? It was because they objected to send them to any Colleges for University education, or to any University for degrees, where they had not a guarantee and a protection for their faith and morals. Surely, the present was not a time to speak with contempt and indifference of such a feeling on the part of the Catholic laity of Ireland? When the English education question was before the House, hon. Gentlemen opposite invoked the assistance of Irish Members, and they gave their assistance in favour of denominational education. They must, therefore, admit that this was a practical grievance. The Queen's Colleges were founded in 1845; surely, they had been long enough on trial? Yet what had they done? They had entirely failed, as had been predicted from the first they would fail, and the secularization of the University of Dublin had also failed to attract Catholic students to Trinity College. He would not allow any man to tell him that he was there to represent any clerical body—he represented the Irish Catholic laity. With reference to the remarks of the right hon. Gentleman the Member for the University of London (Mr. Lowe) as to the encouragement of middle-class education, how would that better the position of Roman Catholics as to University education? The Bill of 1873 would have been applicable to the case had it not been altered by the supporters of the right hon. Member for Greenwich; but it was proposed to be altered, and it then provoked the hostility of the Irish Members. It had been proposed to be turned into a secular Bill, and was lost on the second reading. The Bill of the hon. Member for Hackney (Mr. Fawcett) promised to open Fellowships and Scholarships to the Catholics of Ireland; but what had been the results? In five years there had been an increase of seven Catholic students. Could that be considered a satisfactory state of things? But he had been long enough in addressing empty benches. He trusted the Government would be true to the principles they had always avowed of being—the friends of denominational education—and would, by adopting the present Resolution, lay the basis of a system of University education in Ireland, and render it worthy of the nation.

MAJOR NOLAN observed, that the hon. and learned Member for the University of Dublin (Mr. Plunket) had accused the Irish Members of exaggerating the case of the Catholics of Ireland in regard to that question; but the figures given by that hon. and learned Member himself proved that the case of the Catholics was almost incapable of being exaggerated. They could have no object in overstating their case, and the want was so extreme that no good would be effected by placing it in a worse light. The figures which the hon. and learned Member had brought forward showed that out of 1,200 students in Trinity College, only 100 were Catholics, and that, taking the relative proportions of the population belonging to the two denominations, there were in Ireland only one twenty-sixth part as many Catholics as there were Protestants receiving University education. If they took England, there would be 20 times as many receiving University education in proportion to the population as there would be in the case of Catholics in Ireland. In Scotland there would be 60 times as many. The want of University education amongst the Catholic population of Ireland could not be exaggerated, being, in the lowest case, 20 to 1, and ranging up to 60 to 1. The real question was, how that enormous disparity was to be remedied. If they allowed that unsatisfactory state of things to remain, it would tend more and more to divide the community in Ireland into two classes—an upper and rich class of Protestants, and a lower and poor class of Catholics. That was a result which, for many reasons, was extremely undesirable for the sake both of England and of Ireland. New reasons had come into force within the last 20 years which increased the evils of this marked division. There was, for instance, the introduction of competitive examinations, which, if the present system of education was continued, would result in placing the Protestants in Government situations, to the exclusion of the Catholics. The result would be that the poorer Catholics would take very little interest in the affairs of the country. Again, it must be remembered that there were many Irishmen who went to America. Some of these returned to Ireland, having acquired, not a University education, but a knowledge of life and of facts of great importance, leading them and others to the conclusion that the Americans were the cleverest of men. In excluding from the Catholics—that was, the great mass of the population of Ireland—the advantages of education, a Government pursued a policy which would, taken in connection with the close association of Ireland and America, do much to prepare a sort of hotbed for revolutionary ideas, whence they would be communicated to England. There was no wish on the part of the supporters of the Motion to endow a new Maynooth. No doubt some of the Maynooth students might avail themselves of a degree at an Irish University; but what the people of Ireland asked in the way of State aid in this matter was really only for their own money, as they sent over a large amount of money annually for Imperial purposes. The object was to obtain a high-class Catholic University education, and it would be to the advantage of any truly Imperial Government who wished to gain strength from Ireland, and not to have it as a thorn in their side, to allow the Catholic clergy and the Catholic laity to have some common footing with the Protestant clergy and society in regard to high-class education. As matters now stood, there was no outward or visible sign to associate the Catholics with the learned members of the community. The Catholics were educated as a class apart, and there were no means of showing that they had been educated to the same point as the Protestant clergy. If the system were such as to afford Catholics a higher class of education, and place them on a more equal footing with their Protestant fellow-countrymen, it would tend to make them look with somewhat more favour on the Imperial system of Government. It had been argued that intermediate education ought to precede University education in Ireland. The Irish people would be only too thankful if they could get either; but, although they were assured at the beginning of the Session that a Bill would be introduced with reference to intermediate education in Ireland, the Session was already far advanced, there was no sign of such a measure, and he was afraid that intermediate education would fall through. A University would be a natural centre from which Professors could be sent to intermediate schools, and without a University the teachers of those schools would have no common bond of union. He did not believe that there could be a system of intermediate education, unless it was accompanied by University education; because, without a University to go to, there would not be that prize, that incentive to study among the more clever youth who would aspire to a University education. The hon. and learned Member for the University of Dublin said the Roman Catholic Members from Ireland did not tell the House what they wanted. In the Bill introduced by the hon. and learned Member for Limerick, they told the House exactly what they wanted. One fault of that Bill was that it went into too much detail. But they did not bind themselves to that Bill. They said they would be satisfied with the passing of that Bill, or of something like it. The hon. and learned Member for the University of Dublin said the Roman Catholics of Ireland ought to be satisfied with the Queen's Colleges. How could they be satisfied with Colleges against which they had always protested? It was not the policy of hon. Members opposite to level down, because the levelling-down process had a tendency to spread, and what commenced with a few Irish Colleges might extend with great rapidity to more important Institutions nearer home. It was true that some 50 or 60 years ago many Catholic families, bribed by the offers of advantages in the Services and in the Medical Profession, sent their sons to Dublin University; but that was not so much the case now. Apart from the religious side of the question, nothing much was to be said against Dublin University, because the education it gave was of a high class; but that Institution had never been so associated with the great portion of the Catholic body, that they should shrink from disendowing it if necessary. Among other schemes which had been proposed to meet the educational difficulty was that of establishing a system of bonuses, by which the Catholic youths of Ireland were to be allowed to compete for money prizes. Such a system would not be altogether bad, especially if the Queen's Colleges and the Dublin University were disendowed so as to prevent their students from having a monopoly of the prizes. It would, however, be difficult to prevent students trained at the English and Scotch Universities from coming over and competing for the prizes. To establish a system of Examining Boards would be but an indifferent solution of the question. It had been said that the people of England would never consent to the establishment of a Catholic University; but his opinion was that the more the franchise was extended, the greater chance was there of justice being done to Ireland. The people of England sympathized with their Irish fellow-subjects, and would not refuse to comply with their reasonable demands. It was of the greatest importance to England that she should go forth as the champion of religious liberty; and, therefore, it was most shortsighted to give the Irish nation cause for complaining that religious liberty was denied to it.

Mr. MORRIS said, that it was with some diffidence that he addressed the House, because in the city which he had the honour of representing a Queen's College was established. Certainly it was not his intention to say one word in disparagement of that Institution in any way. He thought that it was a subject which, if understood, could be argued on broad and plain issues. To say that University education in Ireland was unsatisfactory, was to anyone who knew Ireland but to utter a truism. Many things had been propounded for the benefit of Ireland, and many subjects relating to her internal affairs had been brought forward. There was one, however, with regard to which he could speak in the name of the Catholics of Ireland as demanding, certainly, the greatest attention which could be possibly given to any subject—and that was the question of University intermediate education. He had the honour of a seat in that House 10 years ago, when Lord Mayo took the settlement of the question in hand. He, for one, had ever since regretted that the question was not then settled upon the bases of the terms then offered. At that time, however, another system and another principle was introduced into the House and carried out—and that was the system of levelling down. He was one of those who had always protested against that system, and he trusted that it would never be adopted except under circumstances of extreme pressure. He considered, however, that if this question of education was not settled in some way which would be satisfactory to the Catholics of Ireland, the levelling down system should be adopted. He did not use the expression in any way as a threat. He trusted that the Government would try and ascertain whether it was not possible to settle the question on somewhat similar terms to those proposed by Lord Mayo. There was a rumour that some kind of intermediate education was to be adopted on the levelling-up system, and that the surplus from the revenues of the Church was to come forward in the shape of competitive prizes. He was not, however, going to enter into that question; but he thought that the Government might go a little further and adapt it to a system of University education. As matters now stood, many of the Catholic middle-class were deprived of the advantages of the Queen's Colleges in Ireland, because they did not like to send their sons to them under the system which now existed. Those people felt that a system of education without religion was false and injurious. A greater benefit could not be conferred on Ireland than the establishment, upon a proper basis, of a liberal and true system of education.

Mr. A. MOORE thought the Government were in an absurd position in regard to this question. They had provided denominational education in one part of the Empire where many people did not want it, and refused it in another where it was desired by a large and influential section of the inhabitants. He complained that the Catholics of Ireland met with no respect for their religious convictions, while those of Protestants, and atheists, and infidels, were fully responded to, and their requirements provided for. The Catholics of Ireland were told that they might have University education, but that it must be at the expense of their religious convictions. One would think that the time had gone by when a man's religious convictions should stand in the way of his advancement in life; but the conduct of the Government in reference to this question showed that they had not yet made so much progress. There was another point to be considered, and that was the conduct of the Government at the commencement of the Session. They were told that a Bill upon intermediate education would be brought in, and no doubt they would have received it thankfully. But what had been the course pursued by the Government? Of course the House would be told that the policy of the Obstructives had prevented the Government bringing in the Bill. However, that was not so. The Bill was not forthcoming. They asked for the Bill, but it was said that before it could be produced the House must make substantial progress with the Irish Grand Jury Bill, and also make substantial progress with the English County Government Board Bill, which no one seemed much to desire. Those Bills were both weak and in a bantling state, and could not be passed in their present shape. This course would not add to the confidence which the Irish people felt in Her Majesty's present Government. He could not forget that, while a mere measure of justice was denied to the people of Ireland, a sum of no less than £238,000 was added this year to the Vote for education in this country. It was a very hard trial to come to that House, year after year, asking for a small acknowledgment of their educational claims, and yet meet with no response. A satisfactory solution of the question would, he hoped, be soon discovered; but that which was suggested by the right hon. Gentleman the Member for the University of London would never be accepted. They might shut their ears now to the demand made; but eventually they would have to hearken to the oft-repeated voice of a nation, crying to Heaven for that which was only her just rights.

Mr. O'SHAUGHNESSY observed, that the objection urged by the hon. and learned Member for the University of Dublin appeared to be this—that if the Motion were adopted, Roman Catholic Divinity students would be prepared for their Church at the expense of the State. That would not be the case. Divinity students might attend a Roman Catholic University, but only to receive lay education, as did the Divinity students belonging to other Churches. Although this debate would not bring about an immediate solution of the question, yet he believed it would advance that solution to a stage far beyond its present position, and in time the people would demand their just rights. Many points formerly argued were now taken for granted, and it was now admitted that it was a question which ought and could be dealt with. Higher education was now as much a necessity for the upper and middle classes of Ireland as food. Whatever differences existed between them on the subject, they all, he was sure, were desirous that enlightenment should be spread among the people of Ireland, the better to enable them to discharge the duties which would devolve upon them in life. The right hon. Gentleman the Member for the University of London (Mr. Lowe) told them that he questioned the advisability for educational purposes of endowing Universities, and that the endowment of teachers put education to sleep. Looking back at University education, he thought the right hon. Gentleman was not altogether without some grounds for his assertion; for they had only to look at Oxford and Cambridge, with all their endowments, and the inefficiency of the Queen's Colleges with their endowment at the present moment, and also to look back at the time when Trinity College went by the name of the "silent sister," to see whether endowments should be given to Universities. For his own part, he thought the endowment of teachers should be discontinued, and ought to regulate, to a very great extent, the formation of any such institution. The right hon. Gentleman suggested that at the end of a University course students should be provided with endowments and prizes which would, probably, fall into the hands of men trained and capable of teaching, which would constitute a Teaching Body endowed indirectly, but, at the same time, dependent for the maintenance of their endowment on students in the University, on their own activity and capacity, and that advantage would be gained by the suggestion of the right hon. Gentleman, and the State relieved from the necessity of interfering with Colleges and the heads of Colleges. He would say, however, that if the proposal of the right hon. Member for the University of London meant merely the creation of an Examining University such as the University of London, it would not be likely to fulfil and meet the wants of the people of Ireland on the question before them. If he meant that instead of Colleges like Kemble College, or even the Queen's Colleges, they should have a number of schools full of schoolboys affiliated from the Universities, then he had no hesitation in saying that his proposal would deservedly fail. Something more than mere teaching and examination was necessary to constitute a new University. If he would show some way by which University life in College could be created, and created with a prospect of full development, then, indeed, he would have done something to solve the great question. Of course, endowments would be required. That was necessary to place Catholics on an equality with Protestant Irishmen. It was felt in Ireland that the University question involved principles to which the people were solemnly bound. Many people said that University education was a central system which was to give light around to intermediate education; but he hoped freedom of opinion was allowed, and he must say he thought intermediate education should precede University education. But what was the position in which the Government were placed? At the beginning of this year, the right hon. Gentleman the Secretary of State for the Colonies, but then Chief Secretary for Ireland (Sir Michael Hicks-Beach), speaking at the end of the first Irish debate, admitted that legislation for Ireland was necessary on the subject of University education. He said that intermediate education was locally and educationally a preliminary to University education, and that he would deal with it in the first instance. This was a most important concession, and if the Government intended to give an earnest to this expressed intention of dealing with University education, the way to do so was to deal practically and without further delay with the question of intermediate education. In conclusion, he sincerely hoped the Motion of his hon. Friend the Member for Roscommon would not be altogether without effect.

MR. O'CONNOR POWER said, they were discussing the matter under a great disadvantage, seeing that they were so far in ignorance of the views of Her Majesty's Government in regard to it. As regarded the attitude of the Liberal Opposition, the right hon. Gentleman the Member for London University (Mr. Lowe) had made a somewhat novel suggestion; but, while last year he had brought it forward as a remedy, this year he had been candid enough to admit that it would not supply the want felt by the Roman Catholics of University education, though it would stimulate intermediate education. His declaration of opinion might be taken as that of the Opposition, and it amounted to nothing all. He had mentioned the failure of his Leader five years before, and had then told the Catholics that their cause was hopeless, but that in a commercial way he would do something to pay for certain results in secondary schools. Then the hon. and learned Member for the University of Dublin had made a thoroughly selfish speech, and had thought that any gain to the Catholics must necessarily be to the disadvantage of the Protestants. For his part, he could not admit that that result was inevitable. It might be argued that their objection to the present system of University education in Ireland was based upon hostility to the Queen's Colleges; but, so far as he was concerned, his objection was that they were set up to afford certain facilities to the Catholics of Ireland; and, after 30 years' experiment, the people of Ireland declined to avail themselves of the facilities, and it was in that sense they repudiated the Queen's Colleges as in no sense affording the facilities required by the Catholics in Ireland. The opponents of the Resolution said it was impossible to concede what it claimed on behalf of the Roman Catholics of Ireland. The same thing used to be said with reference to the injustice which was inflicted on the Roman Catholics of Ireland by the Irish Church Establishment; but at last the right hon. Gentleman the Member for Greenwich came forward and cut down that "upas tree." But on this question Parliament had, with characteristic obstinacy, failed to recognize the devotion of the Irish Catholic to his religion, which had been tested by the blood and tears of centuries of persecution. The Roman Catholics were the only people whose claims in the matter of University education were not accorded consideration; and, in contending against the national spirit of the people, Parliament had entered upon a contest which could only end in its own defeat and humiliation. The people of Ireland would neither be secularized by the Queen's Colleges nor proselytized by Trinity College. This was not a clerical grievance, but a grievance touching the heart and soul of the Catholic classes of Ireland. It had been said that although the Queen's Colleges were now denounced, they would in time prove to be a success, just as the national schools, which at first were denounced, had become a success. But the national schools had succeeded simply because they were practically denominational schools. Just in proportion as they became denominational, they became successful. He was quite ready to acknowledge the importance of intermediate education in Ireland, and how signal were the defects of the present system; but there appeared to be a conspiracy between the front Benches on both sides of the House to magnify intermediate education for the purpose of shelving University education. The Catholics of Ireland knew the result of the cramming system advocated by the right hon. Gentleman the Member for the University of London. Under that system, the work done in a particular Department was paid for at so much per yard. Although Ireland was deficient in intermediate education, yet there were many excellent schools in the country capable of turning out young men well fitted to enter upon a course of University education; but the practical effect of the policy of the English Government was to encourage the minority and discourage the majority in their search after University education. The proposal before the House that night neither involved the abolition of the Queen's Colleges—if against the wish of the Irish people the House were determined to maintain them—nor did it involve the slightest impairment of Trinity College. It merely put forward a just claim on behalf of a portion, and that portion the overwhelming majority, of the nation, which had for centuries consistently made great sacrifices rather than participate in any privileges, political or educational, that could, in the slightest degree, affect their religious opinions. In conclusion, he warned hon. Members that no scheme of intermediate education would settle the question of University education, and that it would not repress or allay in an appreciable degree the feelings of the Roman Catholics of Ireland, who had so long vainly sought at the hands of Parliament redress for the injustice under which they were labouring.

Mr. MITCHELL HENRY considered the discussion so far unsatisfactory, that with the exception of the speech of the hon. and learned Member for the University of Dublin (Mr. Plunket), the speaking had been all on one side, so that really the supporters of the proposal for the establishment of a Roman Catholic University in Ireland had not anything to reply to. He would ask if the absence of speeches had arisen from the fact that there was a general acquiescence in the demand of the hon. Member for Roscommon? They well knew that was not the case, and he had not the smallest hope that the Government would make any concession to the wishes of the Irish people on this important subject. It was most unjust to deny men the right to educate their children, either on secular or on religious principles, as they thought fit. He, speaking as a Protestant, wished to see the same state of things in Ireland as existed in this country. In England ample provisions had been made for religious teaching, according to the belief of the majority of the people. The Universities and all the great public schools were Protestant to the backbone, because the great mass of the people were Protestant; but in Ireland, where the great majority of the people were Roman Catholic, they were mocked with a pretence of religious equality. The rich endowments, which originated in the piety and benevolence of their Roman Catholic ancestors, had been taken from them, and conferred on the Protestant minority. In fact, Government did in Ireland what it would not dare to do in any other part of Her Majesty's Dominions. In India they would not dare attempt to make the children of Mohammedans attend Christian schools. Over and over again had this grievance been demonstrated by the Irish Members, and sometimes their demand was met with fair words; but at other times, as on the present occasion, by silence, showing that the Government and the Legislature did not intend to do that which was just. But the demand was none the less just, and the Irish Catholics would, no doubt, as they were bound to do, insist upon it by every constitutional means in their power. It was folly to talk of having admitted Roman Catholics to the government of the University of Dublin. It would take 50 years before Roman Catholic graduates could have a voice in the government of that Institution. If the House refused to listen to the reasonable demand of the majority of the Irish people, what could they expect but that the Irish Representatives would refuse to allow them to have their own way in voting the Estimates for education in Ireland? The only course open to Irish Members was to prevent the House of Commons from passing those Estimates, upon the existence of which they based their power to carry out a system of education which was repugnant to the Irish people. If Parliament were to found a Roman Catholic College, it would have to depend for its success upon the quality of its teaching; and if it did not give as sound an education as was to be obtained in any Protestant College, the Irish people would not resort to it. The only argument he had ever heard urged against the scheme of a Catholic University was that it might be too ready to grant degrees, and so lower the character of the degrees granted by the other Universities; but that objection had been fairly met in the Bill of the hon. and learned Member for Limerick (Mr. Butt), in which he proposed the establishment of a common University for Ireland, in which the students educated at the several denominational Colleges of the country might compete for their degrees. What right had the English Parliament to say that the majority of the Irish people should not educate their children according to their own religious faith? The Catholics of Ireland claimed the right to educate their children according to their own religious views, out of the produce of their own taxes, with exactly the same freedom as Protestants in England and Ireland enjoyed. They admitted that they were in a minority in Ireland, and yet when the Catholics asked for justice the answer was,—"We will give you something, but we will take care we do not concede the principle." He had always felt that if the positions had been reversed, and if the Protestants were subjected to the same disabilities to which the Catholics were subjected, they would very long ago have heard a very different tale. Did they suppose that the Protestant people would submit to the degradation, the scandal, and shame which had been heaped upon the Catholics? And the only reason why the Catholics, in his opinion, had never obtained that to which they were entitled, was because they had not made their demands in tones sufficiently robust. Until they made themselves inconvenient to political Parties on both sides, there was no chance of their obtaining a solution of this question. In the meanwhile, the Roman Catholics could only rejoice that they, of all people, had maintained unimpaired their religious faith for long ages and amid cruel persecution.

MR. J. LOWTHER said, it was no part of his duty to defend hon. Gentlemen on the other side against the aspersions cast on them by the hon. Gentleman who had just sat down; but, if he were disposed to do so, he might take some exception to the charge brought against them as to their not having made their remonstrances sufficiently robust. Repeated attempts had been made to settle this question on both sides of the House—attempts by Governments and attempts by private Members. He did not wish to go through the details of those schemes; but there was one scheme to which special reference was made by the hon. Member for Roscommon (the O'Conor Don), and almost every other Member who had addressed the House—that was, the scheme of the right hon. Member for Greenwich (Mr. Gladstone). He did not know that its fate had been a very encouraging one for those who wished to follow in his footsteps. Reference had also been made to the proposal of the hon. and learned Member for Limerick (Mr. Butt). He was certainly entitled to speak with some authority in the name of the people of Ireland, and any proposal emanating from him would always command the respectful attention of the House. But what did all those schemes prove? Why had none of those schemes, whether brought forward by the responsible Government or introduced to the notice of Parliament by private Members, met with success? The reason was this—the demands put forward by the Representatives of Irish opinion had been almost uniformly extravagant. What were those demands? Even so recently as a few weeks ago, a meeting was assembled in Dublin to consider this very question. The demand then put forward was—either concurrent endowment or total disendowment. The hon. Member for Roscommon, with great candour, repeated those terms—he spoke of levelling up or levelling down. One or other alternative, he said, must be adopted; but he knew very well that neither would ever be accepted by the House of Commons. He, therefore, was justified in assuming that the reason why this great question had been so long unsettled was that the demands made were wholly extravagant. He did not mean to say that the *status quo* was perfection. The *status quo*, however, had not been fairly described. Any impartial observer would have been led to form the opinion that hon. Gentlemen opposite were seeking to induce Parliament to reverse a system of exclusive endowment, wholly limited to one exclusive sect. But that was not the case. The existing University and the Colleges of Ireland, with one exception, were entirely open to persons professing all creeds. Since this question was dealt with by the Government, of which the right hon. Member for the University of London was a distinguished Member, the old Institution of Trinity College, Dublin, had been thrown open to all creeds, and there was the most perfect religious equality. He might have stated that, for nearly 100 years, degrees at Trinity College had been within the reach of all Her Majesty's subjects of whatever creed; and since 1873, the endowments had been equally open to Catholics and Protestants. Anyone listening to some of the speeches in this debate might have supposed that the benefits of the Queen's Colleges were open only to Protestants, but they were available to all Her Majesty's subjects without distinction of creed. Protestants, as such, had no advantage conferred on them in Trinity or in the Queen's College which were not equally within the reach of Roman Catholics. There was one Institution which was an exception, and that was the Royal College of Maynooth—which formerly received an annual grant of £26,000, which had been, with the consent of those interested in that Institution, who were represented in the House, been commuted to the sum mentioned in the Irish Church Act. With that one exception, the University Institutions in Ireland were open to Her Majesty's subjects without distinction of creed. Under these circumstances, the case had not been fairly put before the House. Hon. Members, doubtless, had conscientious objections to the education afforded by these Institutions; but they were not justified in speaking of the application of their revenues as a confiscation to the injury of those for whom they were intended. Why had the advantages so offered to all creeds not been more freely made use of by the Roman Catholics? In the Queen's Colleges they had been made use of to a very considerable extent, some 25 per cent of those who did make use of them being of the Roman Catholic religion, while in Trinity College, Dublin, the percentage had been stated to be 10 per cent. At any rate, it was very considerable. But the reason why these Institutions had not attained a greater success had been the spirit of hostility which had been manifested towards them, no doubt, from conscientious motives, and which must be respected. The hon. and gallant Member for Galway (Major Nolan) had said that the months of February, March, April, and May, had gone by, and there had been no Intermediate Education Bill. He had been in hopes that the hon. and gallant Member was going to furnish the House with some record of Public Business during the months to which he had referred. Without going into detail, he might call the hon. and gallant Gentleman's attention to the fact that the time at the disposal of the Government during the present Session had been very fully occupied. He was not now going to find fault with the course which any hon. Gentleman had taken, but he might observe that the ordinary Supplies of the year had engrossed no inconsiderable amount of the attention of the House. He had always been strongly opposed to the practice of taking large Votes on account early in the Session, giving up every Government night, to nearly the end of July, to measures which might be more or less termed comprehensive, and bringing forward the Estimates in August; but it must be admitted that this practice had not been followed during the present Session. The Government, in a constitutional manner, had presented their Estimates at the earliest possible moment, and had endeavoured to take them in their ordinary course, without anticipating them with Votes on account, except when absolutely compelled so to do. In addition to the causes of delay to which he had referred, there had been exceptional demands upon the time of Parliament arising out of affairs outside the limits of this country, and that brought him to this point—that he defied any hon. Gentleman to point to a single moment when a measure of so much importance as that of Intermediate Education could have been submitted to the judgment of the House. However, the Government intended to fulfil their engagement. It would be trifling with the House to say in the present state of Public Business, that there was any chance of introducing a measure, at an early date, in this House; and, therefore, soon after Whitsuntide the Government would introduce a measure into the other House of Parliament. They hoped the Bill would reach this House at no distant date, and that it would not be one of the remanets of the Session. During the debate the two questions of University and intermediate education had been treated as inextricably interwoven, and it had been said, that the latter had been forced to the front by the Government to the exclusion of the former. Certainly intermediate education was preliminary to higher education, and, therefore, he did not shrink from the responsibility of that course. With respect to the Motion before the House, he thought the hon. Member for Roscommon would be disposed to agree with him, that no good object could be served by asking the House to express any opinion upon it. He abstained from expressing any opinion as to what it might become the duty of the Government to do at any future period with regard to this question; but he would not be justified in holding out any hopes to the House that during the present Session, at any rate, they would be disposed to go beyond the programme that had already been laid down.

LORD ROBERT MONTAGU: Sir, I am disappointed in finding, from the Chief Secretary's speech, that he has not taken the trouble to qualify himself to speak on this subject. In order to answer an adversary effectively, it is necessary first to grasp his principles, and in order to persuade him, you must be able to realize his position and feel his feelings. At the outset of his speech, the Chief Secretary showed that he had not made this necessary preliminary effort. He complained of the dilemma of the hon. Member for Roscommon (the O'Conor Don) —namely—"You must either level up or level down." What the hon. Member meant was that the Government should be just to all denominations, and treat all equally. If some are to be endowed, all must be endowed; or, if some shall not be endowed, then neither may any denomination receive a State endowment. That was the hon. Member's position. Was it not right? Does it not almost amount to a political truism? Yet the Chief Secretary for Ireland put it aside, as if it were not worthy of argument. Unless, indeed, he took this for a refutation—that the Dublin University and the Queen's Colleges are secular Institutions, which are "open to all Her Majesty's subjects of whatever denomination." This, then, is his ground—every educational Institution which is open to all Her Majesty's subjects is a proper recipient of State endowments. There are numerous Catholic Schools and Catholic Colleges in England, Ireland, and Scotland, which are open to all Her Majesty's subjects, of whatever denomination; every child or youth is free to enter them, who will receive the teaching which is there given, and conform to the rules and discipline of the Institution. Are these Schools and Colleges, then, fit objects, in the Irish Secretary's eye, for endowments from the State? "Oh, no," he will say, "we Protestants cannot send our children to them, because a form of religion is there taught to which we object." That is just what the Irish Catholics say of the Dublin University and the Queen's Colleges. Perhaps you exclude a purely secular teaching from your category of denominations? Let the House for a moment look at this new position. Take the Creed of Pope Pius IV., which is our creed. It consists of what is called the Nicene Creed, with the addition of a few Articles. In all the Creed of Pope Pius IV. there is only one Article which is not accepted by the High Church of England; knock off two or three more Articles, and you have the belief of the Low Church of England; cut off some more, and you have the belief of the Presbyterians, the Nonconformists, and others, until you leave only the first Article of the Creed, which is the belief of the Theists; exclude that, and you have the education of the Secularists. On what reasonable ground, then, can any man assert that Secularist Schools and Colleges may be endowed by the State, while no School or College which teaches any Article of Belief may be a recipient of State aid? Some object to this religion being taught with the public taxes to which they contribute; and some are averse to that religion being taught. But a great many more abhor the support out of public money of educational Institutions which exclude religion entirely from the instruction which they give. I will put this in another light. Let me know whether it is easier to learn or to forget? Which is everyone more apt to do—to acquire knowledge or to lose it? Of course, it is easier to forget, and everyone is apt to lose the knowledge he has acquired. Is it not, then, more reasonable to let children or young men learn the larger Creed in the first instance and forget the later Articles afterwards, if that be required, than to forbid them learning in youth any of the Articles of Belief, with the hope that they may acquire some of them later in life? The former is clearly more consonant to reason; and, if we study morals and events in those countries which, of late years, have excluded religion from their systems of education, we shall also be convinced that it is more consonant with a healthy practice and sound principles of statesmanship.

The O'CONOR DON said, he had heard the greater part of the speech of the Chief Secretary with the deepest disappointment. It seemed to him that the right hon. Gentleman did not at all appreciate the magnitude of the question and of the interests which it involved. Nor had he offered the slightest indication that the Government, either in this or in any other Session, would deal with this very important subject. The right hon. Gentleman had also given a sort of denial to the assertion that a grievance existed on the part of the Roman Catholics of Ireland in that matter, and he had alleged that all previous attempts to settle that question had failed. But why had they failed? Because of an extravagant dread of ecclesiastical influence—a feeling which must be got rid of before they could fairly consider the problem they had to solve. The Chief Secretary had ridiculed the proposal to level down; but the Roman Catholics did not want to level down. They demanded equality without injuring existing Institutions in Ireland; but, if they were refused that measure of justice, they would insist on examining narrowly how the public money to which they contributed was at present spent on those Institutions. The right hon. Gentleman said that the Royal College of Maynooth alone received exceptional favour from the State. For himself, he confessed that he was amazed at that statement. Maynooth, instead of receiving exceptional favour, was disendowed at the time when the Irish Church was disestablished, although it ought then to have been preserved and dealt with in connection with Dublin University and Trinity College. The only crumb of comfort thrown to them in the speech they had just heard consisted in the promise to introduce a measure on intermediate education in Ireland; but even that measure was not to be introduced in this House, and it might reach them too late to be dealt with satisfactorily this Session. When, under these circumstances, the right hon. Gentleman asked him to abstain from pressing his Motion to a division, his answer must be that the right hon. Gentleman's own speech rendered it perfectly impossible for him to comply with that request.

MR. CHARLES LEWIS said, it was not his intention to detain the House for long; and he should not have risen to speak but for some observations, which rendered it necessary for some Member sitting for an Irish constituency, and not immediately connected with the Government, to say a few words on this subject. Last Session he had an opportunity of speaking for a short time on this matter, and he had previously spoken upon it in that House on one or two occasions. Having regard to the course of the debate in the House that night, and to the fact that very few Members had risen on that side of the House, it was his desire that one point, at least, should be placed very plainly before the House. The first question which arose in the debate was, whether there was a grievance—whether, in fact, the present state of University education in Ireland was so bad as it was represented to be? And the second was—how that grievance was to be remedied, having regard to the views of the House and the country with reference to denominational education? The observations which he had to make would be confined to the one part of the case connected with the first question to which he had referred. It had been said that there had been an absolute or relative failure in the system of University education in Ireland. He begged the House to consider the conditions under which the Queen's Colleges were brought into being. They were brought into being for the express purpose of showing religious impartiality, and they were accepted by the House and by Parliament as a means of placing all denominations in Ireland on an equality. But, no sooner did those Colleges come into existence, than they were the objects of unremitting attack on the part of the Roman Catholics of Ireland, and they still remained the objects of such attack. He would refer to an extract, which had been previously placed before the House, in proof of what he said. In 1869, a resolution was passed at a meeting of Roman Catholic Bishops, held at Maynooth, in which they took objection to the system of University education in Ireland as being injurious to the faith and morals of Roman Catholic youth, inasmuch as it was not under the supreme control and care of the Church. The Bishops, therefore, called upon the clergy and the laity to use every constitutional means to subvert the mixed system of education. The position then taken up had been retained since; for, in 1871, a meeting of the same persons took place in Marlborough Street, to consider the question of University education, and the protest against the mixed system of education was then renewed. Under these circumstances, he asked the House whether the Queen's Colleges had had fair play, and whether the Irish people generally could be said to have had any part in the periodical denunciation of which these Colleges had been the objects? It was the design of those who passed those resolutions to affect the whole Roman Catholic population of Ireland with a hatred of these Colleges, for other resolutions were passed which directed that each of the former resolutions should be read, on the first convenient Sunday, at one of the public masses, in all churches and chapels throughout the Kingdom. Was it likely that under such a state of things the Queen's Colleges could obtain fair play amongst the Roman Catholic people of Ireland? But, notwithstanding the measures thus taken against them, they had been successful, and the figures relating to the number of students attending them showed that they had made considerable way amongst the Roman Catholics of Ireland. There was one other matter to which he would allude. It was impossible to dissever this question from the subsidiary questions of intermediate and primary education. It was impossible for those who were supporters of the Amendment to deny that the principles they wished applied to University education applied with equal force to intermediate and primary education. With these few words, he should conclude by expressing his determination to give his hearty vote against the Amendment.

Mr. SULLIVAN could assure the Chief Secretary for Ireland that his speech that evening would be received with something very like dismay by many persons in Ireland, who had, hitherto, been disposed to believe that Her Majesty's Government, being true to the principles of the Conservative Party in England, would do something for the service of University education in Ireland. There was no doubt in the world that one of the questions that had most largely divided the Irish people from the Liberal Party in this country had been that of education. For his own part, with most of his sympathies in full accord with the Liberal Party in this country, since he had come into that House he had, on this great question of education, painfully felt himself tending further and further from them, and coming into unity of action with hon. Gentlemen opposite, whom he had frequently heard asserting on the floor of the House the same principles of morality and religion in connection with University and public education that were dear to the hearts of the Irish people. But to those in Ireland who had marked the tone of Conservative feeling on this subject, and had marked the noble attitude of the Conservative Party on religious education in England, it was painful to see that no sooner was it attempted to apply their principles across the Channel, to a people who had been long kept in statutory ignorance, than the application of the principles to Ireland was refused. It was but a few years ago that Lord Mayo had made a proposition on this subject, which flatly contradicted the proposition of the present Chief Secretary for Ireland; for if there was need of dealing with this subject then, and of dealing with it in the radical way in which Lord Mayo proposed, how could the Chief Secretary get up and tell the House that there was no urgency now in this matter? Lord Mayo, in 1868, thought the matter one deserving instant attention; and its magnitude had grown with years, and increased every day. For his own part, he had no desire to misrepresent the issue; but he was aware that hon. Gentlemen in that House had hitherto been prejudiced against this demand of their's for University education. He could understand such a prejudice, and made considerable allowance for the opposition caused by it. The people of England and hon. Gentlemen in that House were assured that there was no desire for a Roman Catholic University on the part of the Roman Catholic laity in Ireland, and that the demand was only made by the Priests and Prelates for purposes of their own. That phase of the question was passed, and although those who now put forward the demand in the House did not for one moment repudiate the just and legitimate influence of the Clergy and Bishops, yet they emphatically denied that the demand did not emanate from the people of Ireland. He, for one, was returned by his constituency against the influence of the justly revered and respected Roman Catholic Prelate having jurisdiction in Louth County; and in putting forward the demand that night, he did it because of no episcopal or clerical dictation or control, but heartily and thoroughly at the instance and in the interests of the Roman Catholic laity of Ireland. He would take the House so far into his confidence as to tell them the history of the Bill promoted by the hon. and learned Member for Limerick City (Mr. Butt). It emanated from a joint committee of students of Trinity College, of the Catholic University, and of the Queen's Colleges in Ireland, by whom the original of the scheme was drawn up without the knowledge of a single Roman Catholic Bishop, and almost against the wishes of some of them who came to hear of it. The Bill was framed as a *boná fide* endeavour by the students of the Colleges he had mentioned, to see if they could not devise some kind of measure to deal with the just requirements of the people of Ireland in the matter of University education. Out of the meeting of that joint committee came a series of resolutions, which were submitted to the hon. and learned Gentleman the Member for Limerick City; and that was the origin of the Bill laid before the House a Session or two ago. It was not concocted by Bishops or Priests, but it was the proposal of the Roman Catholic laity of Ireland, who were determined that they would no longer submit to be deprived of University education. The Chief Secretary had reminded the House that a Ministry had been beaten upon this question. It was because their proposition did not rise to the level of the occasion. Nothing short of a statesmanlike solution of the question would be of any avail. The right hon. Gentleman had further said that their demands were uniformly extravagant and impracticable. How much, or how little, would he have them ask? Would he have them accept less than an equality with England, or did he think they would ask more? But of one thing he might be sure; that with anything less than equality they would never be satisfied. They were also told that Trinity College was open to Roman Catholics, Protestants, and Dissenters, and that there were no longer any restrictions. If that were true, what necessity was there for the Queen's Colleges? If hon. Members who put that excuse before the House believed in it, the necessity for the Queen's Colleges in Ireland was gone. Could it be said that the Roman Catholic University in Ireland, struggling as it was, had not produced men who had grown up with the same liberty of thought as was found in any other University? But when it was said Trinity College was open to Roman Catholics as well as Protestants, he must make one observation. Not for one moment did he wish to disparage the position of Trinity College, glorious in its traditions, and still honoured by every educated Irishman, or to detract from the good that it had done for Ireland. He was sure no Roman Catholic in Ireland would seek to injure it; but he regretted that Trinity College had lent itself to a false attitude against the Roman Catholics, and was not true to the principles upon which it was founded, when it preferred a partial secularization, lest justice and equality should be granted to a Catholic Institution. He had prophesied that the Bill of the hon. Member for Hackney (Mr. Fawcett) would not succeed, nor had it. The portals of Trinity College were indeed open to all; but it was a mockery to offer them that for the University they desired. No King or Queen that ever sat upon the English Throne would have dared to propose to the people of England such a proposition as was made to them, or would have attempted to inflict upon England a University which was as foreign to its sympathies as was the University system which was now forced upon the people of Ireland. And if the people of England were deprived for 50 years of a University system in accord with their conscientious feelings, how would the progress of the country be stopped? He put it to the House whether it was not their right and duty to accord to the Irish people a University system in accord with their consciences and feelings. He appealed to their generosity to give them what they asked for in this matter. By hateful and disgraceful Statutes, the Irish people had been kept in educational bondage and deprived of the blessings which this country had enjoyed, and they had some claim on the generosity of the English people.

Question put.

The House *divided:* — Ayes 200; Noes 67: Majority 133.

AYES.

Agnew, R. V.
Allcroft, J. D.
Allen, W. S.
Anstruther, Sir W.
Arbuthnot, Lt.-Col. G.
Archdale, W. H.
Assheton, R.
Balfour, A. J.
Baring, T. C.
Barne, F. St. J. N.
Barrington, Viscount
Barttelot, Sir W. B.
Bates, E.
Bateson, Sir T.
Baxter, rt. hn. W. E.
Beach, rt. hon. Sir M.H.
Bective, Earl of
Bentinck, rt. hon. G. C.
Birley, H.
Blackburne, Col. J. I.
Blake, T.
Boord, T. W.
Bourke, hon. R.
Bowen, J. B.
Brise, Colonel R.
Broadley, W. H. H.
Brooks, W. C.
Brown, A. H.
Bruen, H.
Bulwer, J. R.
Burrell, Sir W. W.
Burt, T.
Cameron, D.
Campbell-Bannerman, H.
Cartwright, F.
Cecil, Lord E. H. B. G.
Clifford, C. C.
Clive, Col. hon. G. W.
Clowes, S. W.
Cobbold, T. C.
Cole, Col. hon. H. A.
Colebrooke, Sir T. E.
Coope, O. E.
Cordes, T.
Corry, hon. H. W. L.
Corry, J. P.
Cotton, W. J. R.
Courtney, L. H.
Cowper, hon. H. F.
Crichton, Viscount
Cross, rt. hon. R. A.
Cuninghame, Sir W.
Dalkeith, Earl of

Dalrymple, C.
Dickson, Major A. G.
Douglas, Sir G.
Duff, M. E. G.
Dyott, Colonel R.
Edmonstone, Admiral Sir W.
Egerton, hon. A. F.
Egerton, Sir P. G.
Egerton, hon. W.
Elliot, G. W.
Elphinstone, Sir J. D. H.
Emlyn, Viscount
Estcourt, G. S.
Evans, T. W.
Ewart, W.
Ewing, A. O.
Fawcett, H.
Finch, G. H.
Fitzmaurice, Lord E.
Floyer, J.
Forester, C. T. W.
Foster, W. H.
Fraser, Sir W. A.
Fremantle, hon. T. F.
Gardner, J. T. Agg-
Gathorne-Hardy, hn. A.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Gordon, Sir A.
Gordon, W.
Grant, A.
Guinness, Sir A.
Halsey, T. F.
Hamilton, right hon. Lord G.
Hamond, C. F.
Hanbury, R. W.
Harcourt, E. W.
Hardcastle, E.
Harvey, Sir R. B.
Hay, rt. hn. Sir J. C. D.
Herbert, hon. S.
Holford, J. P. G.
Holker, Sir J.
Holland, Sir H. T.
Holms, W.
Home, Captain
Hood, Captain hon. A. W. A. N.
Howard, E. S.
Jones, J.
Kennaway, Sir J. H.
Knight, F. W.
Knowles, T.
Lawrence, Sir T.
Learmonth, A.
Lechmere, Sir E. A. H.
Lee, Major V.
Leighton, Sir B.
Leighton, S.
Lewis, C. E.
Lindsay, Col. R. L.
Lloyd, T. E.
Lopes, Sir M.
Lowther, rt. hon. J.
Lubbock, Sir J.
Lush, Dr.
Macartney, J. W. E.
Mackintosh, C. F.
M'Arthur, A.
M'Arthur, W.
M'Lagan, P.
Maitland, W. F.
Majendie, L. A.
Makins, Colonel
Manners, rt. hn. Lord J.
Marten, A. G.
Master, T. W. C.
Mellor, T. W.
Merewether, C. G.
Mills, Sir C. H.
Monk, C. J.
Montgomerie, R.
Montgomery, Sir G. G.
Moray, Colonel H. D.
Morgan, hon. F.
Morgan, G. O.
Mulholland, J.
Mure, Colonel
Naghten, Lt.-Colonel
Newport, Viscount
Noel, E.
Noel, rt, hon. G. J.
Northcote, rt. hon. Sir S. H.
Onslow, D.
Pell, A.
Pemberton, E. L.
Peploe, Major
Plunket, hon. D. R.
Puleston, J. H.
Ridley, Sir M. W.
Rodwell, B. B. H.
Round, J.
Russell, Lord A.
Ryder, G. R.
Salt, T.
Sandon, Viscount
Sclater-Booth, rt. hn. G.
Scott, M. D.
Selwin - Ibbetson, Sir H. J.
Shute, General
Sinclair, Sir J. G. T.
Smith, A.
Smith, E.
Smith, S. G.
Smith, rt. hn. W. H.
Smollett, P. B.
Somerset, Lord H. R. C.
Spinks, Mr. Serjeant
Stanhope, hon. E.
Stanhope, W. T. W. S.
Stanley, rt. hn. Col. F.
Starkey, L. R.
Starkie, J. P. C.
Steere, L.
Stewart, J.
Stewart, M. J.
Talbot, C. R. M.
Taylor, rt. hon. Col.
Tennant, R.
Thornhill, T.
Thynne, Lord H. F.
Tollemache, hon. W. F.
Torr, J.
Trevor, Lord A. E. Hill-
Turnor, E.
Vivian, H. H.
Wait, W. K.
Walker, T. E.
Wallace, Sir R.
Walsh, hon. A.
Watson, rt. hon. W.
Wells, E.
Wheelhouse, W. S. J.
Wilmot, Sir H.
Wolff, Sir H. D.
Yeaman, J.
Yorke, J. R.
Young, A. W.

TELLERS.

Dyke, Sir W. H.
Winn, R.

NOES.

Bell, I. L.
Biggar, J. G.
Blennerhassett, R. P.
Bowyer, Sir G.
Brady, J.
Brooks, M.
Browne, G. E.
Bryan, G. L.
Chamberlain, J.
Churchill, Lord R.
Cogan, rt. hn. W. H. F.
Collins, E.
Conyngham, Lord F.
Cowen, J.
Cross, J. K.
Dease, E.
Delahunty, J.
Digby, K. T.
Dilke, Sir C. W.
Dillwyn, L. L.
Downing, M'C.
Dunbar, J.
Ennis, N.
Fay, C. J.
French, hon. C.
Gray, E. D.
Harrison, J. F.
Henry, M.
Herbert, H. A.
Hopwood, C. H.
Isaac, S.
Jenkins, E.
King-Harman, E. R.
Kirk, G. H.
MacCarthy, J. G.
M'Kenna, Sir J. N.
Martin, P.
Meldon, C. H.
Montagu, rt. hn. Lord R.
Moore, A.
Morris, G.
Murphy, N. D.
Nolan, Major
O'Beirne, Major
O'Brien, Sir P.
O'Byrne, W. R.
O'Clery, K.
O'Conor, D. M.
O'Donnell, F. H.
O'Gorman, P.
O'Shaughnessy, R.
O'Sullivan, W. H.
Parnell, C. S.
Power, J. O'C.
Power, R.
Redmond, W. A.
Rylands, P.
Shaw, W.
Sheil, E.
Smyth, R.
Stacpoole, W.
Sullivan, A. M.
Swanston, A.
Synan, E. J.
Torrens, W. T. M'C.
Ward, M. F.
Whitworth, B.

TELLERS.

Errington, G.
O'Conor Don, The

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Original Motion, by leave, *withdrawn.*

Committee *deferred* till *Wednesday.*

SUPPLY.—REPORT.

Resolutions [30th May] *reported.*

MR. STEVENSON wished to take the opportunity of saying a few words before the Report was agreed to. There was a large item charged for the expenses of the Wreck Commission and stipendiary magistrates. The inquiries which took place before the stipendiaries were formerly held by the local magistrates. When these magistrates held the inquiries they had lasted but a day to a day and a-half, whereas, now, the hearing of such matters very frequently extended over several days; because, in the nature of the case, the stipendiary could give only the fragments of his time which remained after the ordinary work of the police court was finished. This caused very great expense, more especially to the captains whose cases were under consideration. So far as he was aware the magistrates had not been guilty of any neglect of duty in the holding of these inquiries. It was, no doubt, right that these disasters should be inquired into by a competent Court and by competent officials; and he was not complaining of any matter, except that the jurisdiction having been taken from the local magistrates a very unnecessary expense had been cast upon the captains having to attend these investigations.

Mr. GOURLEY referred to the large expenses caused on the inquiries held by the stipendiary magistrates at South Shields, compared with that expended when they were conducted by local magistrates. Masters and officers belonging to Sunderland, Seaham, and Hartlepool were compelled to go to South Shields, and wait the convenience of the stipendiary magistrates. This involved a serious loss of time, as well as of expense, without any corresponding benefit; hence he considered that the time had come for a revision of the present system of inquiry. He held that until a Wreck Commissioner was appointed for the North, the inquiries there ought to be held before the local magistrates.

Viscount SANDON said, that he quite understood the grievance which had been referred to. It would receive due attention and consideration at the hands of the Government.

Mr. BIGGAR wished for some explanation as to the salary of a solicitor at £1,000 a-year, and £600 for counsels' fees, besides the salaries for three clerks. He could not understand how there could be any employment for a counsel at all.

Sir HENRY SELWIN-IBBETSON explained that the officials alluded to were winding up a certain number of cases which had been left outstanding. When the work on which they were employed had ceased then their offices would be abolished, and, as recommended by the Commission, the gentlemen would be absorbed into other offices and omitted from the list.

Mr. BIGGAR wished to point out to the hon. Baronet that he had not explained why counsels' fees were necessary, nor why so unreasonable a sum as £1,000 a-year was paid to a solicitor.

Resolutions *agreed to.*

ENDOWED SCHOOLS AND HOSPITALS (SCOTLAND) BILL.—[*Lords.*]—[Bill 157.]

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Sir EDWARD COLEBROOKE said, he had no objection to the Government taking the second reading of the Bill, on the understanding that it would give an opportunity of considering the principles raised by it before the House went into Committee on the Bill.

Mr. CAMPBELL - BANNERMAN said, he had pleasure in supporting the second reading of the Bill.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* 17th June.

COUNTY OF HERTFORD AND LIBERTY OF SAINT ALBAN ACT (1874) AMENDMENT BILL.

On Motion of Mr. Abel Smith, Bill to amend "The County of Hertford and Liberty of Saint Alban Act, 1874," *ordered* to be brought in by Mr. Abel Smith, Mr. Cowper, and Mr. Halsey.

Bill *presented,* and read the first time. [Bill 203.]

House adjourned at a quarter after One o clock.

HOUSE OF LORDS,

Tuesday, 4th June, 1878.

MINUTES.]—Public Bills—*First Reading*—Consolidated Fund (No. 3) *; Exchequer Bonds (No. 2) *.

Second Reading—Local Government Provisional Orders (Droitwich, &c.)* (94); Elementary Education Provisional Order Confirmation (Mickleover)* (92).

Committee—Public Health Act (1875) Amendment (85-106).

Committee — Report — Metropolis Improvement Provisional Orders Confirmation (Bowman's Buildings, Marylebone, &c.)* (61); Gas and Water Orders Confirmation* (93).

Report—Medical Act, 1858, Amendment* (104).

PRIVATE BILLS.

Ordered, That Standing Orders Nos. 92. and 93. be suspended; and that the time for depositing petitions praying to be heard against Private Bills, which would otherwise expire during the adjournment of the House at Whitsuntide, be extended to the first day on which the House shall sit after the recess.

NAVY—H.M.S. "EURYDICE."

QUESTION.

EARL DE LA WARR: I wish to ask the noble Lord who represents the Admiralty in your Lordships' House, Whether he does not think it would have been possible, by the aid of an iron-clad, to have raised the "Eurydice" the day after the accident, to such an extent that she might have been towed into shallow water?

LORD ELPHINSTONE: I have heard it said that had the means to which the noble Lord refers been adopted the *Eurydice* would have been raised ere now; but perhaps the best way I can answer the Question is by illustration of the very small power of even one of our very largest iron-clads to move a weight at rest. Take, for example, the *Hercules*, a ship of 7,200 tons, with a nominal horse-power of 1,200, but capable of working up to between 7,000 or 8,000. She would be unable to move a body at rest of more than from 40 to 50 tons. This enormous mass, exerting a force of 7,000 or 8,000 horse-power, would be, as it were, anchored by a weight of between 40 and 50 tons; and so in the case of the *Eurydice*. When she sank she represented a weight in iron and stores of from 150 to 180 tons, and that was, therefore, the weight that had to be moved. Suppose, for the sake of argument, they had been able to get the ends of her two lower cables up the day after she sank—the breaking strain of each cable is equal to 64 tons—they would, therefore, have been together unequal to a strain of more than 120 tons—the weight to be moved being from 150 to 180 tons. It is perfectly clear, therefore, that, even supposing they had been able to get at the cables, which has not been the case, they would have been quite insufficient to move the ship in the way suggested.

PUBLIC HEALTH ACT (1875) AMENDMENT BILL.—(No. 85.)

(*The Earl of Kimberley.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Moved, That the House do now resolve itself into Committee.

EARL DE LA WARR said, that some of the provisions of the measure would bear very hardly upon the owners of cottage property and others, which would entail unreasonable expense. He thought that careful inquiry into the details of its provisions was desirable, and he begged, therefore, to move that it be referred to a Select Committee.

Amendment *moved*, to leave out all the words after ("That") and insert ("the Bill be referred to a Select Committee.")—(*The Earl De La Warr.*)

EARL COWPER thought that before their Lordships intrusted the rural sanitary authorities with increased powers they ought to inquire into the way the work already intrusted to them was discharged by those bodies. It appeared to him that in some instances they had performed their functions in a very unsatisfactory manner. In many cases the members quarrelled among themselves and did nothing else; in other instances they were completely in the hands of their medical officer; and in others everything was carried against the single representatives of a parish by the persons who represented the other parishes.

LORD NORTON observed, that whatever might be thought of rural sanitary authorities they were established, and he deprecated arresting the progress of the Bill, which had been brought forward a second time by private Members of the other House fully competent to deal with the subject, while the Government had not found time or opportunity to deal with the subject more perfectly. Nevertheless, he regretted the re-commencement of patchwork of sanitary legislation so soon after its consolidation. The Sanitary Commission, over which he had had the honour to preside from 1869 to 1871, and to which many eminent men had devoted much attention, and whose Report had been the basis of all subsequent sanitary legislation, had laid down the proposition that the chief cause of the imperfect working of the law was the complication of the law itself and the multiplication of Acts in detail. He therefore, immediately upon the Report, attempted a consolidating Bill, and meanwhile had a digest made of all the numerous Acts upon the subject. The late Government recognized the importance of consolidating the law, and next year passed the Act of 1872, preparing the way for consolidation, and the present Government passed the consolidating Act of 1875, of which this Bill dealt partially with one part only—namely, water supply to cottages. The Act of 1875 did not pretend to be complete in many parts, and especially in this of water supply. The Sanitary Commission said that water supply was the most difficult part of their inquiry, because it dealt not only with the interests of local authorities and consumers, but with intricate proprietary rights; and particular places could not well be compulsorily supplied without consideration of the whole watershed, which introduced further questions of area and rating; but this Bill dealt only with rural districts, and with them imperfectly, as the Report of the Select Committee to which the Bill was referred in the House of Commons amply showed. Its clauses ran parallel with sections unrepealed of the Act of 1875, and the charging of water rates or rents might come under either or both. Still, the Bill should pass as a step in the right direction, and as compelling the Government to deal completely with its subject next Session, and to make one separate Act on water supply, repealing the sections on the subject in the Act of 1875. The law might so be restored to clearness and intelligibility to the public.

THE EARL OF KIMBERLEY hoped their Lordships would not consent to refer the Bill to a Select Committee. No doubt the object of the Bill was important; but much of this importance attributed to it was due to a forgetfulness of what the law already provided—it was, in fact, but a small advance on the existing law. The Consolidation Act of 1875 enabled the rural authorities to construct works for the purpose of supplying water and to tax the whole parish for those works. It was quite clear that in some cases that might be an oppressive mode of proceeding, and what the Bill sought to effect was a comparatively small change. The Bill before their Lordships gave the rural authorities power to charge the owners of particular cottages with a water supply for those cottages. No such charge as that supposed by the noble Earl who moved the Amendment would be thrown on an owner. Clause 2 enacted that the supply must be provided at a reasonable cost, not exceeding a capital sum the interest on which at the rate of 5 per cent per annum would amount to 2*d.* per week. It was true that, in the clause as it stood, there were added the words—

> "or at such other cost as the Local Government Board may, on the application of the local authority, determine under all the circumstances of the case to be reasonable;"

but he intended to propose an Amendment which would limit the power of increase by the Local Government Board to a sum which would make the entire cost not exceed an interest of 3*d.* per week. There were some persons who had crotchets against improvements; but as there was nothing more important than a pure supply of water, he hoped their Lordships would not delay this measure by sending it to a Select Committee.

THE MARQUESS OF SALISBURY presumed that his noble Friend meant to convey that those who opposed this Bill were the people who had crotchets against improvements. He did not wish to oppose the progress of the Bill; but he ventured to repeat what he said on the second reading, that caution was necessary in order that the rent of cottages might not be raised, as this would be a very serious calamity to the labouring classes, and he feared that the improvements proposed by the measure would prevent the most important of all improvements, the housing of the poor. Owing to strikes and the rise of prices, the cost of cottage building had considerably increased—indeed, it did not now pay to build cottage property. It might be argued that it was desirable to have cottages with the best possible water a separate matter, instead of mixing it up with the subject of County Government, which involved much wider considerations, within which political questions were connected.

The Earl of SANDWICH hoped the Government would not wait until next year to deal with the question, which, taken by itself, was really one of great simplicity.

Earl FORTESCUE also hoped the Government would deal with the subject, which was much too large to be satisfactorily dealt with in isolated Private Bills.

The Duke of RICHMOND and GORDON admitted that the noble Marquess was well within his right in bringing this question before the House, and the more so in that he had taken a considerable part in the inquiries that had been made on the subject, and had experience of floods in the part of the country with which he was personally acquainted. He must confess to the feeling of surprise with which he heard his noble Friend and Kinsman (the Earl of Sandwich) express an opinion that the subject was one of no great difficulty. He should have thought that the noble Earl knew sufficient of the subject to be aware of the difficulties and intricacies which beset it. There were conflicting interests of all kinds—upper owners and lower owners, mill-owners, various authorities through whose jurisdiction the rivers flowed, and other persons interested in various ways. The question, therefore, was by no means easy to deal with; and if any attempt was made at all, the subject must be dealt with in a comprehensive manner, so that the question might be set at rest, to the satisfaction of those whose interests were affected. The Government, with a strong hope of being able to settle the question, included it in the County Boards Bill—a measure which they certainly hoped to have been able to pass in the course of the present Session, but concerning which their hopes had, unfortunately, been disappointed. He could only say that the Government were honest and decided in their desire to deal with the subject if, on full consideration of all its bearings, they found it possible to do so.

Earl COWPER said, he was quite sure that the Lord President of the Council, with the knowledge that had been already acquired, could, and he believed would, bring in a Bill which would be satisfactory to all parties concerned.

House adjourned at a quarter past Seven o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 4th June, 1878.

MINUTES.]—Public Bills—*Ordered*—Local Government Provisional Orders (Ireland) Confirmation (Downpatrick, &c.) *.

Second Reading—Elementary Education Provisional Orders Confirmation (Birmingham, &c.) * [191]; Provisional Orders (Ireland) Confirmation (Dungarvan, &c.) * [193].

Committee—Roads and Bridges (Scotland) [4]—r.p.; Marriage Preliminaries (Scotland) * [86] — r.p.; Racecourses (Licensing) [76] [House counted out].

Committee—Report—Valuation of Lands (Scotland) Amendment * [124-205].

Considered as amended — *Third Reading* — Pier and Harbour Orders Confirmation (No. 1) * [187]; Pier and Harbour Orders Confirmation (No. 2) * [159], and *passed.*

NOTICE OF AMENDMENT.

The House met at Two of the clock.

THE "NINETEENTH CENTURY"—THE ARTICLE ON "LIBERTY IN THE EAST AND WEST"—(MR. GLADSTONE)—MR. HANBURY'S MOTION.

Mr. O'DONNELL: I beg to give Notice, as an Amendment to Mr. Hanbury's Motion, to move—

"That, having heard the extract from the 'Nineteenth Century' on the subject of extraordinary military burthens upon India, and in view of the often-condemned but unreformed abuses of Government and Administration in India; the imposition of unjust and inquisitorial taxation upon the industrious poor; the violation of the perpetual land settlement in Bengal by arbitrary cesses; the coercion of Native opinion and the discouragement of Native literature by gagging Acts of the most despotic description; the unrepresented condition of the Indian people both in their own land and in the Imperial Parliament; the habitual waste of the revenues levied upon those unrepresented masses; the recurring famines, largely occasioned by the neglect of the public works of the former rulers of India, and aggravated by the reckless and ignorant application of the means of relief and by the practical immunity from accountability enjoyed by the higher officials; the liability of the processes of Law to the interference of the Executive power; as well as considering an immense list of individual grievances and wrongs, this House is of opinion, that no service could be performed towards the Crown more valuable or more opportune than to point out the impolicy and danger of imposing on the people of India extraordinary military burthens in support of the Foreign policy of an Empire from whose free Constitution they are excluded and in whose essential benefits they are denied a share."

QUESTIONS.

POST OFFICE—LETTER CARRIERS.

QUESTION.

Mr. H. BRASSEY asked the Postmaster General, If a man named Channer, who has been employed for many years as an occasional messenger in the sub-postal district of West Malling, Kent, was last year refused permanent employment as a rural messenger, though strongly recommended for the appointment; if a small boy named Langridge, aged sixteen, received such a similar appointment as a rural messenger, and has since been suspended, having been convicted of drunkenness; if a convict on ticket of leave not long ago received the appointment of rural messenger near Edenbridge, and has since been dismissed or again convicted; if there is not difficulty in finding full grown men to undertake the duty of a rural messenger at the present rates of remuneration; and, if he will refuse his sanction to the practice of entrusting Her Majesty's mail bags in lonely country districts to boys of small stature and tender years, who are physically incapable of protecting themselves and the valuable property entrusted to them?

Lord JOHN MANNERS: The man named Channer was not eligible, being above the age at which rural letter-carriers are admitted. Langridge, being 16, was eligible, and having obtained a Civil Service certificate was appointed. He afterwards got drunk, and was dismissed. A man, who it turned out was a convict on ticket-of-leave, was unfortunately employed by the sub-postmaster of Cowden to deliver the letters, with the knowledge and concurrence of the postmaster of Edenbridge, and of a resident magistrate whom he consulted. This man has again been convicted of stealing and sentenced to penal servitude. As a rule, there is no difficulty in finding suitable persons to undertake the duties required at the present rate of remuneration. The system now in force has not been found generally to work badly, and it does not seem desirable to alter it.

RAILWAY ACCIDENTS—DEATH OF SIR FRANCIS GOLDSMID, MEMBER FOR READING.—QUESTION.

Mr. THOMSON HANKEY asked the President of the Board of Trade, If he can communicate to the House the result of the inquiry which he informed the House he had directed to be made with reference to the death of Sir Francis Goldsmid from an accident in getting out of a Railway carriage at the Waterloo Station when it was alleged that the door had been opened from without before the train had stopped; and, whether he will now cause inquiry to be made as to what regulations have been made to prevent the repetition of a similar accident?

Viscount SANDON: I laid upon the Table of the House last night the Report of Colonel Yolland upon the lamentable occurrence to which my hon. Friend refers. Colonel Yolland attributes the accident to the door of the compartment, which was fastened, having been opened by some of the officials at the station before the train had stopped; and, also, to the absence of suitable arrangements respecting the footboard of the carriage. I shall carefully consider the Report; a copy has been forwarded to the London and South-Western Railway Company, and I have requested them to inform me what steps they have taken, or propose to take, to prevent the repetition of similar deplorable accidents.

INDIA—THE INDIAN ARMY.

QUESTION.

Mr. FAWCETT asked the Under Secretary of State for India, Whether it is intended to raise fresh troops in India to take the place of those that have been despatched to Malta?

Mr. E. STANHOPE: No intimation has been received here that it is intended for the present to raise fresh troops in India to take the place of those that have been despatched to Malta. Should the service, however, be prolonged, the Government of India, who are responsible for its peace and security, may think it necessary to complete their normal military establishment.

COLLECTION OF RATES (DUBLIN)—LEGISLATION.—QUESTION.

Mr. M. BROOKS asked Mr. Attorney General for Ireland, If it is his intention to bring in, in this Session, any Bill for amending the Law which relates to the collection of Rates in Dublin?

The ATTORNEY GENERAL for IRELAND (Mr. Gibson): Sir, a Commission has been recently sitting in Dublin inquiring into the whole subject referred to in the Question of the hon. Member; and until I have had an opportunity of fully considering the Report of that Commission, and carefully reading the Evidence taken before it, it would be premature to come to any decision on the subject.

THE EASTERN QUESTION—THE CONGRESS—THE ENGLISH REPRESENTATIVES—THE ARMENIANS.

QUESTIONS.

Mr. HAYTER asked Mr. Chancellor of the Exchequer, Whether, in the Congress about to be held at Berlin, England will be the only Great Power represented both by her Prime Minister and her Foreign Secretary; and, whether there is any precedent for the adoption of this course in former Congresses by England? He also wished to know, whether the right hon. Gentleman is in a position to state to the House the reasons which have induced the Government to recommend to Her Majesty the appointment of two plenipotentiaries to attend the Congress?

The CHANCELLOR of the EXCHEQUER: With regard to the first Question of the hon. Gentleman, we do not know for certain who are to be the Representatives of all the other Powers at the Congress. With regard to the second Question, whether there is any precedent for the adoption of the course of sending two Representatives by England—the Prime Minister and the Secretary of State for Foreign Affairs—there is no such precedent. With regard to the third Question—of which the hon. Gentleman has not given Notice—I really do not see that I can say anything more than I said last night.

Sir JOHN KENNAWAY asked the Under Secretary of State for Foreign Affairs, If he can give the House the assurance that in the Congress about to be held, Her Majesty's Government will undertake that the case of the Armenians shall be considered as well as that of the other Christians living under Turkish rule?

Mr. BOURKE: If my hon. Friend will look at the Treaty of San Stefano, particularly Article 16, he will see that the case of the Armenians must necessarily come before the Congress, and no doubt it will receive the careful consideration of the Powers.

NAVY—THE RAMS OF IRON-CLADS.

QUESTION.

Sir EARDLEY WILMOT asked the First Lord of the Admiralty, Whether he has had under his consideration any plan for the construction of the ram of an ironclad ship, so that it should be removable, when not actually required for purposes of war, or for its being covered in time of peace in such a manner as to render it less damaging in the event of a collision with another vessel?

Mr. A. F. EGERTON, in reply, said, that the rams of the *Inflexible*, the *Agamemnon*, the *Shannon*, and other vessels of modern construction were so fitted that they could be removed and replaced. Any temporary covering, he might add, which might be placed on a ram must be destroyed in the event of a collision.

THE EASTERN QUESTION—THE CONGRESS—REPRESENTATION OF GREECE.—QUESTION.

Sir CHARLES W. DILKE asked Mr. Chancellor of the Exchequer, Whether Greece has received an invitation to the Congress, Greece not being a party to the Treaties of 1856 or 1871; and, if not, what steps Her Majesty's Government intend to take to give effect to their expressed wish that Greece should be represented?

The CHANCELLOR of the EXCHEQUER: As the invitations to the Congress have been addressed to the Powers who were signatories to the Treaties of 1856 and 1871, and as Greece was not one of those Powers, an invitation could not be addressed to her. The invitation to Greece to attend must come from the Congress itself, and the subject will be brought before the Congress as soon as it meets.

THE GERMAN EMPEROR.—QUESTIONS.

SIR CHARLES FORSTER asked the Under Secretary of State for Foreign Affairs, Whether he has received any information to-day respecting the condition of the German Emperor?

MR. BOURKE: Sir, we have received a telegram this morning from Lord Odo Russell, in which he says that His Majesty has passed a good night, and that his state was satisfactory this morning. I have also seen a telegram from the German Embassy, to the effect that His Majesty's state was considered satisfactory by the doctors, and that there was much less pain this morning than yesterday.

MR. NEWDEGATE: With reference to the suggestion which I ventured to make yesterday to the Chancellor of the Exchequer, I wish to ask the right hon. Gentleman, Whether he has found any precedent which would justify his proposing some Motion or form of Address whereby the House might express its detestation and abhorrence at this second attempt which has been made upon the life of the Emperor of Germany?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I have been unable to find in any of the recent precedents of this House any case in which a Vote of the character referred to has been proposed to or passed by this House, with the exception of the case of the assassination of President Lincoln. That was a case in which the deed had been completed, and in which an Address expressing sympathy with those who had been bereaved, and horror at the crime which had been committed, was adopted by both branches of the Legislature. There is no precedent for an Address in the case of an attempt upon the life of any Sovereign; and I cannot help thinking that there might be inconvenience in introducing a precedent which we might possibly be asked to follow in other cases in which it might be less convenient to adopt such a course than it would be at the present moment in this particular case, on which the feeling of the House would be so unanimous. But, Sir, in the few words which I ventured to say last night, which were echoed so much better by the noble Lord the Leader of the Opposition, and which were so emphatically cheered and sympathized with by the whole of the House, I think I expressed the general feeling of the country. I would only further say that my noble Friend the Secretary of State for Foreign Affairs (the Marquess of Salisbury) has already, in the name of England, expressed to the German Government the sense, which he is so well able to express, of the feeling entertained throughout the country in regard to the crime. In these circumstances, I do not think it necessary that any further expression of feeling on the part of the House should be given.

THE "NINETEENTH CENTURY."—THE ARTICLE ON "LIBERTY IN THE EAST AND WEST"—(MR. GLADSTONE)—MR. HANBURY'S MOTION.

QUESTION.

MR. RYLANDS asked the hon. Member for North Staffordshire, Whether it is his intention to proceed, before the holidays, with the Motion of which he has given Notice, on going into Committee of Supply, with reference to portions of an article by the right hon. Member for Greenwich which has appeared in "The Nineteenth Century?"

MR. HANBURY, in reply, said, that from the nature of the Motion itself he felt himself bound to bring it forward at the earliest possible period. He was therefore anxious that it should come on next Thursday; but, considering that the right hon. Gentleman to whom it referred was in Scotland, and looking at the difficulties which at all times stood in the way of private Members, he did not think he should succeed if he were to endeavour to bring it on on that day. He therefore intended to bring it forward on the earliest possible opportunity after Whitsuntide, which would probably be the first Thursday after the House re-assembled. When he gave Notice of his Motion he had every reason to believe that the right hon. Gentleman the Member for Greenwich would be in his place, particularly as an intimation had been given of an important statement from the Government in both Houses on that day. If he had had any idea that the right hon. Gentleman would not be present, he should certainly have postponed his Motion.

MERCHANT SEAMEN BILL — REPORT OF SELECT COMMITTEE.—QUESTION.

Mr. J. STEWART asked the Under Secretary of State for India, When the Report of the Select Committee and the Evidence on the Merchant Seamen Bill will be placed in the hands of Members?

Mr. E. STANHOPE, in reply, said, the Minutes of Proceedings would be ready in a few days, the Evidence not for some little time. The Bill was on the Paper for Thursday; but, of course, it could not be taken until hon. Members had had time to consider the Evidence.

PARLIAMENT—ADJOURNMENT OF THE HOUSE—THE DERBY DAY.—QUESTION.

Sir GEORGE CAMPBELL: Sir, I beg to ask the hon. Member for Mid-Lincolnshire, Whether, seeing that this day has been specially arranged for the Roads and Bridges (Scotland) Bill, he could not postpone his Motion with reference to the Derby Day to the Evening Sitting?

Mr. CHAPLIN: If I thought it were the general wish of the House that no portion of the morning Sitting should be sacrificed in the discussion of this Motion, I would at once act upon the suggestion of the hon. Gentleman; but I do not think such is the case. Besides, I feel sure that it will occupy very little time indeed. I think the House will be of opinion that an ample apology for my bringing forward this matter will be found in the fact that my Motion is in support of a time-honoured custom, which has been practised with the general approval of hon. Members for a period which extends over an entire generation of Members. Since 1847, if not for a longer time, this House has invariably adjourned over the Derby Day, except when the Derby Day fell within the Whitsuntide Recess, as was the case last year. In the previous year, and the year before that, the Prime Minister, then Mr. Disraeli, himself moved the adjournment over the Derby Day as a matter of course. The right hon. Gentleman the Member for Greenwich, when he was Prime Minister, more than once made a similar Motion. Beginning in 1852—and not in 1860, as the Chancellor of the Exchequer told us last night—Lord Palmerston made the same Motion, and continued to do so during the whole time he presided over the Government of the country. Under these circumstances, I rather regret—and that for more reasons than one—that the Chancellor of the Exchequer has not thought it incumbent upon him to follow the precedents which have been set him by the former Leaders of this House. Of this, however, I am quite certain—had he thought fit to do so it would have been an absolute "certainty" for him—what is called in racing parlance a real "good thing"—on its being carried; and I confess I am sorry that what I am afraid will appear as a slight on this time-honoured race should have come in this House from its Leader, and who also happens to be the Leader of the Conservative Party. However, the right hon. Gentleman knows his own business best, and hence it is that it has fallen to a private Member to make this Motion to-day. Lord Palmerston once said there were Motions made in the House which the longest speeches could not make intelligible to hon. Members, while there were others which might be comprehended without any speech at all; and this Motion is, I am inclined to think, one of those which immediately recommend themselves to the good sense of the House of Commons. I really do not know what Business is to occupy the attention of the House upon Wednesday; but I think it cannot be of sufficient importance to induce us to break through a time-honoured custom; and I also think that when hon. Gentlemen are opposed to a practice for which we have had precedents during the last 30 years, we are entitled to ask them how it happens that that which was considered right and fit in 1876 should become improper and unfit in 1878? The onus is, I think, thrown upon them to show why we should now depart from a custom which has for so long a time met with the assent and approval of the House. So far as I am concerned, I do not see that this Motion can be opposed on the ground of a great pressure of Business, nor, indeed, do I understand the Chancellor of the Exchequer to raise any such objection. It is, therefore, clear that it is not on the ground of any pressure of Business that my Motion is to be opposed. That being so, I may state that there are one or two reasons which strike me why we should adjourn over to-morrow. In the first place, we shall be acting upon a precedent of many years' observance; and, in the next place, the day has come to be regarded as a holiday not only by Members but also by the admirable staff of officials connected with this House, all of whom perform their duties in a most admirable manner. Indeed, I think it must be admitted that there is no body of public men more indebted to its staff of officers than the Members of the House of Commons are to their officers for the courtesy and attention with which they perform their duties. I must say, therefore, that I consider it would be somewhat harsh on our part were we to abrogate the holiday to which they have been looking forward for some time past, and for which they have no doubt made all their arrangements already. The hon. Gentleman (Mr. Assheton), who has notified his intention to oppose the Motion, stated on a former occasion that the character of the race at Epsom had changed almost entirely; that formerly the majority of the horses were owned by noblemen and Members of Parliament, but that such was not now the case. [MR. ASSHETON: Hear, hear!] My hon. Friend cries "Hear, hear!" but I think he has made a great mistake, for on looking over the list of what is called "probable starters," as published in one of the sporting papers, I find that a great many of the horses belong to distinguished persons. I believe there is one belonging to my noble Friend the Leader of the Opposition; but the first favourite—and, as far as I am informed, the horse likely to win—belongs to another Member of this House; and, surely, under these circumstances, we should fail in our duty to our brother Member if we do not all go down to Epsom to witness his triumph. It will be a proud thing for all of us if the Derby of 1878 should come back to the House of Commons; and in support of the hon. Member and his horse I express an earnest hope, for the hon. Member's own sake, as well as for our own, that "Sir Joseph" may be the winner. The hon. Gentleman concluded by moving that the House, at its rising this day, do adjourn until Thursday.

MR. RICHARD POWER, in seconding the Motion, said: The Marquess of Granby, when moving in 1849 the adjournment of the House over the Derby Day, stated that it was a custom which had been observed from time immemorial. If, then, in 1849, the adjournment in question was regarded as a custom dating from time immemorial, I should like to know what it is now? Here I must say that all of us regret the absence of the hon. Member for Carlisle (Sir Wilfrid Lawson), who, if he had to bring forward the Amendment to this Motion, would have introduced it with something like originality and humour. In these days, when we have to listen to so much repetition and seriousness, it is absolutely refreshing to hear something we have not heard before, and, although we may not agree with it, to have an opportunity to laugh instead of yawn. I have, in listening to debates in this House, often wondered in how many forms it is possible to present the same idea; for, generally speaking, after the first hour of debate we hear nothing new, but have to listen to the same ideas brought forward and clothed in different words. The simple question, however, with which we have now to deal, is whether we shall have a holiday to-morrow or not? We have had, I think, a most laborious Session. We met at an earlier period than usual, but why I have not yet been able to find out—and our perambulations night and day through the adjoining Lobbies have been both numerous and fatiguing, and, judging by the faces I see before me, I think we want, as Mrs. Brown says, "a little outing in the country." No one can ever accuse the supporters of this Amendment with being too genial or jovial. Because a few are dishonest gamblers, and a few drink more than they can walk away with, they would punish the many who desire to enjoy an innocent and a pleasant day. I do not deny that there may be some who make the Derby a business matter—men who bet largely and eat and drink little; but there are far more who look upon the Derby as a pleasure, who bet little, but who eat and drink a great deal. The Derby is, in fact, a great national *fête*, and, as a great national *fête*, it is most fitting that the grand Assembly of the nation should take part in it. Hon. Members ought to remember that "All work and no play makes Jack a dull boy." Look around the House, and you will see that the faces of the overworked Members are pale with the intensity of political thought and with the cares of State. The Members of the Government seem overworked, and to have duly earned their salaries. Overworked, too, appear the occupants of the front Opposition Bench, whose only salary is hope. They also require a holiday, and especially so as we all know that "Hope deferred maketh the heart sick," and nothing is so good for a sick heart as a little amusement. Heaven only knows the sorrows and disappointments of the Opposition. It is not merely by study, or by the consumption of the midnight oil, that we can hope to qualify ourselves as legislators. We must study men, and men's follies and vices, as well as their virtues, if we are to legislate for them in a proper manner, and, therefore, it is our duty to observe them under all forms and under all circumstances. Therefore I say, that wherever the people are, there, too, should their Representatives be, and to-morrow they will certainly be on the Epsom racecourse. Therefore we should say, not "Away with the Derby," but "Away to the Derby." The whole world looks up to England for the preservation and perfection of horse-racing; and, therefore, it is not unnatural that we should observe among our most eminent statesmen decided proclivities to support it. The right hon. Gentleman the Chief Secretary for Ireland is a living example of this, for I am happy to find that last year the right hon. Gentleman won at York the celebrated Gimcrack Stakes. I would ask the opposers of this Motion if they are aware of the inconveniences which they create for their fellow Members? If they succeed in defeating this Motion, what is to become of the well-appointed drags with those mysterious hampers on the top labelled "Fortnum and Mason?" Have they no sympathy for the occupants of a well-packed 'bus, or those of a non-pretentious hansom? As I have before said, this House is a great National Assembly; horse-racing is a great national pastime; and the Derby is the race, above all races, to which the people of this country look forward with the greatest pride and the greatest gratification. Under these circumstances, this great National Assembly should give a national support to the Derby. This I should expect to hear from the Radicals, who pride themselves upon their proclivities; but, on the contrary, while the Conservatives proclaim—"Let everything alone," the Radicals, on the other hand, proclaim—"Do not let anything alone." My hon. and learned Friend the Member for Louth (Mr. Sullivan), however, suggests that those who wish to go to the Derby might do so, and leave the Business of the House to him and the supporters of his Bill with respect to Sunday Closing in Ireland. I am afraid that would be a dangerous proceeding, and an unconstitutional one, as I am afraid the hon. and learned Gentleman would not find a quorum left to make a House to enable him to proceed with his measure; but if hon. Gentlemen will undertake not to divide, I think they might be made a present of the House, and they can have a grand day of unlimited talk. To-morrow the minds of hon. Members will be unequal to the task of legislation. Their thoughts will run in a far different channel—and the first favourite, the second favourite, the third favourite, the outsider, the dark horse, and the one that "could have won, only something happened to him," will be in their minds; and if they are called upon to legislate, I really think they may do a great injury to the Empire. Some of my hon. Friends have such an antipathy to the Derby, that I really think they must have lost a fortune at Epsom in their younger days. They are not genial spirits, who can enjoy the many various amusements which characterize the classic grounds of Epsom. My hon. Friends love to call themselves the Party of sense. They love to look upon horse-racing as a silly amusement. Would they like to know what a wise man once did—a wiser man than even the hon. Member who has given Notice of opposition to this Motion—I mean King Solomon? King Solomon kept 40,000 horses; he had 12,000 horsemen or jockeys; and, better than all, he had races every day in the week after dinner. But, seriously speaking, the House has already made penal nearly all the sports and pastimes of our ancestors—cock-fighting, dog-fighting, bull-baiting, man-fighting, and nearly all kinds of fighting except that of Armies, when one-half the world is prepared to slaughter the other half in the name of civilization. The hon. Member for Mid-Lincolnshire has told us that this Motion has been sanctioned since 1847 by Lord Palmerston, Lord Beaconsfield, the right hon. Member for Greenwich, and the present Chancellor of the Exchequer, and good, indeed, must be the cause to unite so many elements of warfare. But hon. Members around me are super-excellent; they are anxious for a little more talk—a little more debate. We have already had too much talk. We can have talk any day of the year; we can have the Derby only once. In conclusion, I would remind the House that horse-racing was sanctioned—in fact, to some degree established—by James I.; and so far back as the reign of Charles II. races were held in Hyde Park, and I think they created more amusement and caused less annoyance than the "peace" meetings and the "war" meetings which have been lately held there. In the midst of great social changes, let us be left at least something manly. This is an effeminate age; we are becoming too ladylike. There are men of the present day—strait-laced, tight-buttoned, eye-glassed, gingerbread sort of creatures—who would frighten our ancestors, if they could only see them. The origin of horse-racing is ancient, and by no means inglorious; it has grown up among us and become a great institution; we have carried it to a state of perfection hitherto unknown; and I hope the day is far distant when the House will refuse to sanction a pastime so manly and so noble.

Motion made, and Question proposed, "That this House will, at the rising of the House this day, adjourn till Thursday next."—(*Mr. Chaplin.*)

MR. ASSHETON opposed the Motion. The hon. Member who had moved the adjournment, and the hon. Member who had spoken in support of the Motion, had put the cart before the horse. The hon. Member for Mid-Lincolnshire (Mr. Chaplin) had done so, when he advanced the preposterous proposition that the *onus probandi* rested, not on the Mover of the Resolution, but of the Amendment. He had always understood that the *onus probandi* rested on the person who made a Motion, not on the man who opposed it. The hon. Member opposite (Mr. R. Power) also put his cart before his horse, because he regretted the absence of the hon. Member for Carlisle (Sir Wilfrid Lawson) on the ground that the opposition to the Motion would not be introduced with originality or humour. How could the hon. Member possibly tell how he (Mr. Assheton) was going to introduce his opposition? He would leave the hon. Member's humour to the hon. Member himself, because the matter was far too serious to be made a mere matter of jest; and he would, also, leave his originality to the hon. Member, because he had told the House that "All work and no play made Jack a dull boy." He thought he had heard that before. Members who believed it beneath the dignity of the House to adjourn for so trifling a cause might congratulate themselves that this Motion was no longer brought before them by the Prime Minister as an Imperial concern and essential to the welfare of the country; but that it was left to a private Member because it was a private Member's day. If hon. Members wanted a holiday, there were many more appropriate days on which they could adjourn. He had never heard a weaker case than that which was made for the Motion; and he thought they should at least have some better reason before giving up a working day. He could not admit that a thing which had been going on for 100 years was a time-honoured custom. The race itself was not of that age, and the custom of adjournment not half so long. It might be true, as the hon. Gentleman (Mr. Chaplin) had said, that many of the horses were now owned by Members of that and the other House of Parliament; but the general run of racing was not what it was 40 years ago, nor was the Business of the House, for there was more to be done now; and a question of a day more or less was a matter of far more serious import now than it was at that time. When the other House of Parliament, some time ago, found that important Business was coming on upon the Derby Day, it agreed to postpone the Derby, in fact to postpone its pleasure to its Business, and so ought the House of Commons to do now. No one grudged a holiday less than he did; but they were going to take their holidays very soon. Those who kept the officials of that House, not from 12 to 6 o'clock on a Wednesday afternoon, but up all night, to discuss at what time Irishmen should drink whisky, were the persons who might fairly incur the charge of infringing on the holidays of those gentlemen. And as for the Members themselves, did anyone imagine that one the less would go to the Derby whether they adjourned or not? The Derby Day was one of the most disgusting days in the year, unless you went to the Derby, for you could do no business on it; and if you went to any place of amusement, it was so crowded as to be disagreeable. He would sooner see a holiday given on the day of the Oxford and Cambridge cricket match or the Queen's ball than on that of the Derby. He should protest, if no one else did, when the Question was put, and divide the House.

THE CHANCELLOR OF THE EXCHEQUER said, he had no intention of detaining the House for more than a moment before going to a division, if they were to go to one. He only wished to explain that in abstaining from making the Motion which, as usual for a good many years past, had been made by the Leader of the House for the adjournment over the Derby Day, he was not actuated by any desire or intention to oppose the adjournment. On the contrary, he had every intention of voting for it. But it seemed to him that the old practice of the Motion being made by some one unconnected with the Government—a practice which was superseded for a certain number of years from 1860, or, at all events, at a time when the House was unanimous on the subject—was, upon the whole, a better practice to revert to than that which had been adopted of late years. His hon. Friend (Mr. Chaplin) was not quite correct in referring to the case when Lord Palmerston moved the adjournment for the Derby Day in 1852. It was perfectly true that Lord Palmerston moved the adjournment in 1852, but he was not then in Office—Lord Derby's Government were in Office at the time—and Lord Palmerston moved it as a private Member. But in 1860, when there was a general feeling on the subject, he believed it was the best course that the Leader of the House should make the Motion. Anyone, however, who referred to what had occurred of late years must have seen that there was more opposition; and as the day was not one usually devoted to Government Business, he thought it was better that the Motion should be made by some independent Member, and then all could vote for it on grounds of perfect equality. For himself, he would vote for the adjournment as a custom which, whatever might be said against it in the abstract, had prevailed very long, and which there was no good reason for setting aside. As far as the unfortunate Members of the Government were concerned, as it was a day always selected for a Cabinet Council, an adjournment was of no advantage to them.

MR. SULLIVAN said, he should very much enjoy a Derby Day or a holiday; but he should be sorry that a vote of the House should compel the Business of the country to wait upon the horse-racing Members of the Assembly. To-morrow was the day for his Bill, and he was quite aware that the Chancellor of the Exchequer, before the end of the Session, would make this excuse for the fact that a number of measures had to be abandoned—that there was no time to pass them. A good deal of time had been taken up by this discussion, and thus the consideration of the Roads and Bridges (Scotland) Bill would be interfered with. He was ready, however, to withdraw his Bill in favour of the Bill of his Scotch Friends and in order to facilitate Public Business. If the House adjourned for the sake of seeing horse-racing to-morrow, he wanted to know whether his hon. Friend the Member for Meath (Mr. Parnell) would not have some answer to the accusations that would be hurled against him? Within the last 24 hours he had heard a Minister of the Crown say that he could not go on with a most important measure because he had not time. Those who wanted to go to the Derby might go there; but let those who wished to transact the Business of the country be allowed to do so. He knew he was speaking against the proclivities of many in the House; but he also knew he was speaking what was right in the face of the country and of Europe. He would not say that they were going to fiddle while Rome was burning; but he would say they were going to trifle while Europe was on the verge of the most critical events. Would the Government make this Motion if it were a Government day? He protested against the adjournment as a waste of time. He could not endorse what the hon. Member for Waterford (Mr. Richard Power) had said, that the Representatives of the people ought to go where the people went—that they ought to go to horse-races, man-fights, and dog-fights.

MR. RICHARD POWER explained that he had never said any such thing.

MR. SULLIVAN said, that no one could be more startled than the hon. Member at the extension of his own logic.

MR. BLAKE: Mr. Speaker, I congratulate Her Majesty's Government on having resolved to discontinue the practice of themselves moving the adjournment of the House over the Derby Day. This is a hoyeful sign. If the Motion is a good Motion, the Government should still move it. If it is not a good Motion, the House should reject it. The Government evidently regard it as a doubtful matter. Some of us regard it as positively mischievous. It is a sad waste of time. It sacrifices a private Member's day, one of the Wednesdays, of which only about eight remain. This is in itself no small objection. The chief objection to it is that it gives the sanction of this Assembly, whose high character we are all so jealous to maintain, to an amusement which, though it may be innocent in itself, is the cause of enormous evil in almost every town throughout the country. It is impossible to estimate the distress and misery caused by the speculation and gambling which attend all horse races, especially those on the Derby Day. A series of celebrated pictures in the Royal Academy, entitled "The Road to Ruin," are now attracting much notice. I fear, Sir, it is a fact beyond all dispute, that the road which has led thousands of our countrymen to ruin has run to a very great extent, if not mainly, along the race courses of the country. This, with us, is a matter of conscience. I hope the House will abandon a custom which is grievous to many of its Members, and to a very large number of the people of this country. Those hon. Members who wish to attend the race can readily obtain the leave of the House to absent themselves. Or they can do, what they not unfrequently do, absent themselves and go without leave. But do not let them stop the legislative Business of the House. To this we very strongly object. It does not tend to the honour, and dignity, and credit of the House, that this should be done. In 1872, the minority against adjournment over the Derby Day amounted to 58. In 1874, it was 69. In 1875, it was 81. In 1876, it increased to 118. I trust, Sir, that the House will to-day still further increase this minority, or, better still, convert it into a majority.

MR. BIGGAR considered it his duty to vote for the adjournment. If it had been simply a question of horse-racing he would not have voted for it; but gambling had decreased to a very great extent, and the Derby was now a mere picnic.

Question put.

The House *divided*:—Ayes 225; Noes 95: Majority 130.—(Div. List, No. 163.)

ORDERS OF THE DAY.

——

ROADS AND BRIDGES (SCOTLAND) BILL—[BILL 4.]

(*The Lord Advocate, Sir Henry Selwin-Ibbetson.*)

COMMITTEE. [*Progress 21st March.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 12 (Appointment of county road trustees).

MR. ANDERSON, in moving as an Amendment, in page 8, after line 38, to insert the following section:—"Every tenant of land of the yearly value of one hundred pounds or upwards," said, his object in moving this Amendment was to bring tenants to take a more complete and thorough part in the management of roads. As the Bill at present stood, the management was left far too much in the hands of the Commissioners of Supply, who consisted entirely of the proprietary class. He wished to make tenants of £100 and upwards road trustees; whereas the Bill ignored tenants altogether, unless, perhaps, Corporations who paid £800 and upwards, which was going too far, and was a proposition to which he hoped the Committee would never consent. He wanted to see the Road Boards popularized, and it was high time that something in that direction were done. There was no reason, that he could see, why their counties should not be exactly like the municipalities in their great towns, and until they were so they would not be perfect. In the meantime, when a Bill was being introduced for creating one system of management for the whole of the roads, he thought it was a pity not to recognize the popular element a little more, and with that object he proposed the Amendment.

MR. MARK STEWART said, he effect of this Amendment in the county next to that in which he resided would be simply disastrous, for it would give an overwhelming majority to a particular class of persons who would, practically, swamp the Board. There would be, he calculated, 1,585 persons on the Road Board instead of 290. These persons would be made up as follows:—The Commissioners of Supply for that county, at present, were 187; the factors, 10; persons appointed by each Corporation or incorporated Company, 4; two persons out of each parish elected by the ratepayers from their own number, 86; one person for every police burgh in the county, 3; total 290. Under the hon. Member for Glasgow's Amendment the Commissioners of Supply would remain at 187, the number of tenants on the valuation roll, paying a rent of £100 or upwards yearly, would be 1,128. Six persons out of each of the 43 parishes elected by the ratepayers from their own number 258, and 4 persons elected by the Commission of the Police of each police burgh, 12; total, 1,585. He need not point out the absurdity of such an arrangement, and he hoped the Government would not accept the Amendment.

MR. J. W. BARCLAY said, he did not at all approve of the principle that persons should be on the Road Board not as representing any body, but simply because they occupied property of a certain amount. The Amendment, too, instead of making the Boards more popular and representative, would operate in the adverse direction.

MR. ORR-EWING hoped the hon. Member for Glasgow (Mr. Anderson) would not press his Amendment, and if he did that the Government would not assent to it. He thought the Amendment was dictated rather by opposition to the Commissioners of Supply than by a desire to give the tenants representation. It was a fact, also, that there were many local Acts, the terms of which were practically settled by the tenants, which were so far from being representative, that they were very much less liberal than the proposals of the Government.

Amendment *negatived.*

On the Motion of the LORD ADVOCATE, the following Amendments were made:—In page 8, line 39, leave out "and," and insert "any writing;" in page 8, line 39, after "seal," insert "under the hand of the secretary or other officer;" and in line 40, leave out "every," and insert "any."

SIR WINDHAM ANSTRUTHER moved, as an Amendment, the omission of the word "incorporated" in line 40. By the clause as it stood Companies not incorporated could not vote, although they were possessed of property of the annual value of £800 and upwards. The result was, that the Clyde Coal Company and Dixon's Company (Limited) would vote, while the Coltness Iron Company and William Baird and Company could not.

THE LORD ADVOCATE said, he had had very little time to consider the Amendment, as it had not been put down on the Paper. He doubted whether it would have the effect desired by the hon. Baronet, even if carried. An unincorporated Company could not hold land except through trustees.

MR. J. W. BARCLAY said, the trustees could not vote for Commissioners of Supply.

SIR WINDHAM ANSTRUTHER said, he would not press the matter now, but would bring up the Amendment on the Report.

Amendment, by leave, *withdrawn.*

MR. ANDERSON said, he did not understand why £800 was chosen as the limit in the Bill, and why it was not £700 or £600, or any other sum. In his opinion, £800 was too much; but as the hon. Member for Edinburgh (Mr. M'Laren) intended to move to reduce it to £200, he should not move the Amendment of which he had given Notice.

MR. M'LAREN said, the professed object of the Bill was to place corporations who held land in the position of landed proprietors, yet while an ordinary proprietor would have a vote for comparatively small rental, a corporation would not unless it came within the £800 class. Now, a corporation was regarded by the law as exactly similar to a private individual, and why should they not be treated as other individuals? He considered that every corporation whose landed estates were worth £200 a-year should have the right to vote in these matters; and therefore he moved to substitute the word "two" for the word "eight," in page 8, line 42.

MR. J. W. BARCLAY also thought that the valuation of £800, required by this clause of the Bill, in order to enable a corporation or a corporate Company to appoint trustees, was too high. He was in favour of reducing the amount as proposed, while, at the same time, restricting the title of the Company to ownership qualification.

MR. RAMSAY said, as the Bill now stood any Company assessed at £800 for taxes of any kind during the year could appoint a representative. He thought it would be desirable to define the right of Companies more clearly.

THE LORD ADVOCATE said, he thought the Amendment of the hon. Member for Edinburgh ought not to be accepted. The question raised here was really as to what parties might be represented by proxy. In the case of incorporated Companies, their position was the same as that of Commissioners of Supply, who could be represented by the factors of their landed estates if the rentals were £800 a-year. If the Amendment passed, the Companies would be entitled to vote for any part of their rental, whether received from houses or other sources.

MR. M'LAREN replied, that a rental of £200 a-year from landed estates should be sufficient. Every corporation had an official—their treasurer, who represented the trust—who was altogether different from an ordinary factor. If the Lord Advocate thought that £200 a-year was too small, he was willing to take a larger sum; but he thought £800 a-year perfectly preposterous. There might as well be a clause to the effect that no corporation with a landed estate should have any representative, as pass the clause as it at present stood.

Amendment *negatived.*

MR. J. W. BARCLAY, in page 8, line 42, proposed, in order to make it clear that Companies must be owners of land and not tenants only, to insert after the word "assessed" the words "as owners."

THE LORD ADVOCATE said, he did not in the least object to the addition of the words proposed by the hon. Member for Forfarshire.

Amendment *agreed to;* words *inserted.*

SIR WINDHAM ANSTRUTHER said, with reference to the 3rd sub-section in the clause relating to the appointment of county road trustees, there should be only one person instead of two elected by the ratepayers in each parish situated wholly or partly in the county. He therefore moved, as an Amendment, in page 9, line 1, sub-section 3, to leave out the words "two persons," and insert the words "one person, not being a Commissioner of Supply, or otherwise a trustee." His reason for moving the Amendment was, that he regarded the persons constituted as trustees under the Bill as so numerous that the Boards would be unwieldy, and he thought it would be almost impossible to get the Bill fairly worked under them. He therefore proposed to substitute one trustee for the two provided for by the Bill.

MR. ANDERSON said, he had refrained from moving his Amendment to increase the number of trustees to be elected by each parish, because he was informed that in some counties where the number of parishes was very large, any increase of the representation would make the number of elected members cumbersome and unworkable. But he hoped the Government would not consent to reduce the number of trustees appointed by the Bill. He would have preferred that three members should be elected by the ratepayers of each parish in the place of two; but he should certainly oppose the appointment of any smaller number.

MR. MARK STEWART pointed out that in several counties within his knowledge the election of two members by each parish would completely swamp the other representatives. In some counties which had private Acts, it was found that they could not even give one elected member to each parish, because it would make the representation unfairly great in comparison with the other constituents of the Board. He thought the best way to avoid this difficulty in the present case would be to reduce the number of trustees to one.

Sir EDWARD COLEBROOKE said, the object of having these elected members was to secure that a certain number of persons representing the ratepayers should take part in the business of managing the roads. He, therefore, thought it very important not to reduce their number to an extent which would prevent their getting proper members. In Lanarkshire the number of elected members would be only four or five, as the number of parishes in that county was comparatively small. He wished to ask the Government a question, which he begged to apologize for not having put into a more workable shape — namely, why the number of elected members should not be made to depend upon the size of the parishes? He thought that it might be easily laid down as a rule that a parish with less than 1,000 or 500 inhabitants should have only one representative; but that as the population increased to 5,000, 10,000, or 50,000, the proportion should be larger.

Sir GEORGE CAMPBELL said, it might be that the number of the road trustees would be inconveniently large; that was part of the framework of the Bill. It must be remembered that elected members and non-elected members represented different interests, and he hoped that the House would not consent to reduce the proportion of elected members. It would be remembered that tenants were not directly represented. The only representation of the ratepayers was secured by this clause. He was quite sure that if Scotland were taken as a whole, it would be found that the number of Commissioners of Supply much exceeded the total number of elected members that would be elected at the rate of two to each parish.

The LORD ADVOCATE quite admitted that in many counties—indeed, he might say in most counties—the body of trustees would be very unwieldly, and not the best possible for the despatch of business required in the management of the roads throughout the county; but, at the same time, it was exceedingly necessary to have a fair representation by elected members, and he did not think that could be secured by adopting the Amendment proposed for reducing the number of representatives to one for the ratepayers of each parish. Of course, the ratepayers were not tied down to parochial representatives, and he hoped they would be able to furnish a sufficient number of trustees as members of district committees for the management of local roads.

Mr. J. W. BARCLAY said, he deprecated any suggestion of a conflict of interests between the elected trustees and the Commissioners of Supply. In the county of Aberdeen there were two tenant trustees elected by each parish, and that number had been found to work very satisfactorily. In the case of Forfarshire, which was a county of small parishes, they desired to have two elected trustees, and the Commissioners of Supply were by their experience quite satisfied, after the experience they had, of the great advantage of having two tenant trustees elected by each parish as tenant representatives. These trustees were held responsible by their neighbours to have the roads kept in good condition, and for seeing that the money spent upon them was economically and well spent. It was believed that the election of two trustees would insure economical and judicious management. The elected trustees had no voice whatever in regard to the payment of debt, or in regard to the assessment, therefore, both of which affected the Commissioners of Supply alone. There was, therefore, no conflict of interests between the two classes of trustees. It would be practically impossible, without a very nice machinery, perfectly to balance the powers in the road trust, because the number of Commissioners of Supply was so various in the different counties of Scotland, that what was found to suit in one would not suit in another. He thought, judging from the experience gained from private Bills which had passed, that the proposal to elect two trustees would work perfectly well.

The LORD ADVOCATE said, he did not suggest that there was any conflict of interests between elected trustees and Commissioners of Supply. It appeared to him that their interests were identical; that, however, in his opinion, was no reason for withholding a fair representation from either.

MR. J. W. BARCLAY had not alluded to any remark of the right hon. and learned Lord Advocate concerning a conflict of interests between the elected trustees and the Commissioners of Supply, but to the observations which had fallen from the hon. Member for the Kirkcaldy Burghs (Sir George Campbell).

Amendment, by leave, *withdrawn.*

Consequential Amendment, by leave, *withdrawn.*

MR. RAMSAY said, in the absence, for domestic reasons, of the hon. and gallant Member for Kincardineshire (Sir George Balfour), he begged to move the Amendment of which he (Sir George Balfour) had given Notice—namely, to insert, after the provision for the election of two representatives by each parish in the county, the words—

> "And in counties where the tenants are at present trustees for the commutation roads, on the qualification of paying certain rentals, these tenants shall be trustees for all roads."

He would simply state his belief that this proviso would apply chiefly, if not exclusively, to the county represented by the hon. and gallant Member, where it was desired that the trustees should continue to act as they had acted hitherto.

THE LORD ADVOCATE said, it was hardly possible for the Government to assent to the Amendment. The proposal was really, that in all cases where a county had a local Act by which the tolls were abolished, the machinery of the old Act should be retained for certain purposes, instead of the new. It was quite competent for these counties to retain their present local Acts, and their local machinery by which they were worked; but, on the other hand, if they discarded those local Acts, and superseded them by the adoption of the present Bill, he did not see why the Committee should import confusion into the Bill by allowing the old machinery to operate.

Amendment, by leave, *withdrawn.*

MR. M'LAREN said, the Committee having adopted the principle that each parish should have two representatives, he begged to propose that the same measure of justice be extended to police burghs and he would therefore move that in the 4th sub-section of the clause in reference to trustees, instead of one person only being appointed as trustee by the Commissioners of Police of any police burgh within, or partly within, a county, there should be two persons. The parishes in Scotland would be found, as a rule, to be considerably smaller than the burghs; and, besides that, the rental of the parishes was very much smaller on the average than the rental of the burghs. He thought, therefore, it would be exceedingly anomalous to say that every parish, however small, should have two representatives, while every burgh, however large, should have only one. This appeared to him an oversight, and the provision should have been the other way—namely, that while parishes might have one representative, the burghs, being larger and more important, should have two. He begged to move that the word "one" be omitted, and the word "two" be inserted.

Amendment proposed, in page 9, line 6, to leave out the word "one," in order to insert the word "two."—(*Mr. M'Laren.*)

SIR WILLIAM CUNINGHAME asked, with reference to the proposal of the hon. Member for Edinburgh (Mr. M'Laren), whether, in cases where the provost or chief magistrate was *ex officio* trustee, another person would also be deputed to represent the burgh? If this were not so, he should be inclined to support the Amendment of his hon. Friend the Member for Edinburgh; because it seemed to him that burghs should have more than one representative.

MR. ANDERSON said, he had an Amendment coming immediately after the present one, on the same question, but going further than that of the hon. Member for Edinburgh; and it was, therefore, almost needless to say that he entirely approved of giving a larger representation to burghs. He wished to impress on the hon. Member for Edinburgh to take a division on the point, which was a very important one.

MR. RAMSAY said, that while there might be exceptional parishes, such as those mentioned by the hon. Member for North Lanarkshire (Sir Edward Colebrooke), where the population was larger than in many burghs, yet the burghs in Lanarkshire which he (Mr. Ramsay) had the honour to represent, were certainly more populous, not only than some parishes, but than almost any rural parish in Scotland. It would be only giving the burghs a fair measure of representation if the Lord Advocate would accede to the Motion.

Mr. J. W. BARCLAY was decidedly of opinion that the parish representatives having been fixed at two, the burgh representatives should be increased to the same number.

Mr. ORR-EWING said, that the larger burghs, which would have a separate Road Trust, did not need the representation sought for them. He could not see that any burgh had a right to be represented by a road trustee, unless it contributed to the keeping up of the roads.

Mr. W. HOLMS said, his only objection to the clause was that there were too few representatives of ratepayers, and too few representatives of burghs. He should support the Amendment of the hon. Member for Edinburgh (Mr. M'Laren).

Mr. DALRYMPLE thought that the representatives of the burghs should not be on the County Road Trust at all. The burghs managed their own affairs, and it seemed to him that the County Commissioners should be left to manage the landward district roads, and that the burghs should have no voice in their management. At all events, he should distinctly oppose the appointment of a second trustee.

Sir GEORGE CAMPBELL said, it seemed to him that the question would come to be one of statistics, and that the hon. Member (Mr. Dalrymple) had entirely misapprehended it. The clause related not to burghs in general but to police burghs, which were defined as populous places having a population not exceeding 5,000. These should in some degree be represented. The roads in these burghs were managed by the County Trust, and the question really was, did their population on an average exceed the population of parishes?

The LORD ADVOCATE said, there had been a good deal of misapprehension as to the import of the clause. Reference had been made by the hon. Member for the Falkirk Burghs (Mr. Ramsay) to the population of some of the burghs which he represented; but he (the Lord Advocate) asserted that none of these burghs were at all likely to be in the position of throwing themselves into the arms of the County Trust, instead of managing their own roads. Some of them might do so, but they certainly would not be populous burghs. The only case contemplated was that of a burgh which could not manage its own roads, except at great expense, and which availed itself of the provisions of the Bill in order to make common cause with the county. He believed that this class of burghs would not only be limited in number, but in population. The suggestion of the Bill was very fair. It dealt with Royal and Parliamentary burghs and with police burghs. It provided that where a Royal and Parliamentary burgh took the step alluded to, it should have as representatives the Provost, the chief magistrate, and one member of the town council. In the case of a police burgh, the Provost or chief magistrate and one of the Commissioners of Police should be the representatives, so that in each case there would be two representatives. In those localities intended to be benefited by the provisions of the Bill, there was not much probability of the population being larger than in the parishes.

Mr. M'LAREN thought the right hon. and learned Lord Advocate had lost sight of the fact that there was a clause in the Bill which enabled all burghs of a population not exceeding 10,000, to make an arrangement with counties to keep up the roads and streets in that burgh upon such terms as the counties might think fit to agree to. He wished to know whether the right hon. and learned Lord Advocate thought that a burgh of 10,000 inhabitants was to be placed in the same position as regarded representation as some petty parish in Scotland with 500 inhabitants, or even less? The burghs ought to have two elected representatives, in addition to their chief magistrate. He thought the clause an unjust one, and felt it his duty to divide the House upon the question.

Mr. J. W. BARCLAY believed there were two classes of burghs which came under the operation of the clause. The sub-section, on which the Amendment was founded, dealt with the case of the police burgh, which had no choice but to be of necessity a part of the county. This police burgh had under 5,000 inhabitants, and would get one elected member. The proposal now was to elect two. The rest of the clause referred to Royal and Parliamentary burghs or police burghs of over 5,000 of population, and for these there existed a different set of circumstances altogether. In their case, the Bill contemplated their coming to an agreement with the counties to have their roads kept up and their representation on the County Board was a separate affair altogether; but the case of the small police burgh was not met by the explanation given by the right hon. and learned Lord Advocate.

Question put, "That the word 'one' stand part of the Clause."

The Committee *divided*:—Ayes 118; Noes 97: Majority 21.—(Div. List, No. 164.)

MR. TREVELYAN moved to amend the clause, by inserting, after the word "trustees," in page 9, line 12, the following words:—

> "All persons being proprietors in feft, in life-rent, or in fee not burdened with a life-rent, in lands and heritages within the county of the yearly rent or value of at least one hundred pounds sterling, in terms of the Act of the seventeenth and eighteenth Victoria, chapter ninety-one."

In certain counties in Scotland, as the right hon. and learned Lord and many hon. Members knew, the roads were managed by a joint Board, partly composed of Commissioners of Supply from outside the burghs, and partly of gentlemen inside the burghs, having the same qualification as Commissioners of Supply. Sometimes this qualification was £100. In Dumfriesshire and other counties, however, it was £150. So far as he could gather from its clauses, the Bill would disfranchise those gentlemen whose qualification was derived from property situated within the burghs. In Selkirkshire some of the most valuable members of the Road Board were gentlemen deriving their qualification from property within the burgh of Selkirk. His Amendment, which copied the words of the Selkirk Act, would prevent this disfranchisement.

MR. ORR-EWING opposed the Amendment in its existing form, as likely to give the same qualification as that of a Commissioner of Supply to persons whose property was situated in burghs which might not contribute to the support of the county roads.

SIR WILLIAM CUNINGHAME wished for some further explanation of the effect of the section.

MR. J. W. BARCLAY understood the proposal of his hon. Friend (Mr. Trevelyan) to be, that where a Royal, Parliamentary, or police burgh of over 5,000 inhabitants agreed with the county that the county should manage its roads, every owner of property of £100 value within the burgh should in that case have a seat at the Board of Trustees. Such an arrangement between county and burgh would be voluntary, and it would be desirable that it should be easily terminable. He therefore urged that, as the provisions of the Bill already provided for a sufficient representation of a burgh, in these circumstances, it would be undesirable to accept an Amendment which would have the effect of making the trustees a cumbrous body, and of prejudicing voluntary arrangements between burghs and counties.

SIR GRAHAM MONTGOMERY understood that the Amendment was suggested to meet the case of Selkirkshire. It seemed, however, to him that the provision would admit too many to the County Road Board.

SIR GEORGE CAMPBELL understood the proposition to be, that in the case of arrangements between burgh and county, the landward part of the county and the burghs should be put on an equal footing, and that the burghs should be represented by proprietors, *plus* the elected members, in the same way as the counties were.

MR. ORR-EWING objected to the Amendment, on the ground that it would indirectly change the law of Scotland as to the qualification of Commissioners of Supply, which was fixed at £200.

MR. TREVELYAN assured the Committee that he was not desirous of raising any abstract question for discussion. He only wished that the course which had generally been followed hitherto in these counties where burghs were included in the Road Trust, should be followed under the new Act. That course had been found very advantageous in Selkirkshire and Dumfriesshire. Other counties than Selkirkshire would be prejudicially affected by the Bill if their position were not protected by this Amendment; and a large number of exceedingly useful road trustees would be disfranchised. He did not think the burghs should be placed in a position less advantageous than that which they at present occupied, and if he received sufficient encouragement to do so, he would take a division.

Sir WILLIAM CUNINGHAME said, the Amendment would apply not only to the burghs in these counties, but to the burghs in all counties, and where there was a large number of proprietors holding this qualification they would swamp the trust. He hoped the Amendment would not be accepted.

The LORD ADVOCATE did not think the Government could accept the Amendment. The counties referred to by the hon. Member for the Border Burghs (Mr. Trevelyan) were exceptional counties in the South of Scotland, generally of a pastoral character, although they were dotted here and there with centres of industry; and he doubted whether the arrangement which was said to have suited them would suit the industrial counties. In the larger and more populous counties to the North, the species of representation described by the hon. Member was not known, and the more recent local Acts abolishing tolls had approximated to the lines of the present Bill. He had no desire to disfranchise these trustees, and, indeed, they must, to be disfranchised, disfranchise themselves. They were at present county trustees, within the meaning of their local Acts; but if they came within the scope of this Act, they came under legislation of quite a different kind, that contemplated separate management by burghs. He had understood that the burghs in these counties were rather desirous of having that separation, or the means of effecting it for themselves. If the Committee adopted the Amendment, it would simply come to this—that, in addition to Commissioners of Supply and elected trustees, every person who was owner of property of the value of £100 within a burgh would be added to the County Road Trust. In many counties that would render the County Trust cumbrous and utterly unworkable, and would extend the county trusteeship far beyond the limits to which the Government could agree.

Mr. RAMSAY, though believing it desirable that the burghs should have a voice in the management of the county roads with a view to their being able to make representations as to the management of roads adjacent to the burghs, advised the withdrawal of the Amendment, if for no other reason than that, as had been pointed out by the hon. Member for Dumbartonshire (Mr. Orr-Ewing), it virtually altered the legal qualification for being a Commissioner of Supply.

Colonel MURE thought that as the proposed Amendment would unduly extend the dimensions of the Board of Trustees, it should not be persevered with. While suitable to the pastoral counties mentioned, it would be unmanageable in the industrial counties.

Mr. TREVELYAN, remarking that Selkirkshire would probably take an advantage of another Amendment to the Bill which the right hon. and learned Lord Advocate had frankly placed on the Paper, and that the discussion would not justify him in delaying the Business of the Committee by taking a division, asked leave to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Mr. ORR-EWING moved to amend the clause, in page 9, line 12, by inserting, after the word "any," the words "such burgh being a."

The LORD ADVOCATE said, that this, and two other Amendments by the hon. Member being improvements in the wording of the Bill, he did not object to them.

Amendment *agreed to.*

On the Motion of Mr. Orr-Ewing, the following Amendments were made:—In page 9, line 15, leave out "other," and insert "such;" and in the same line, after "burgh," insert "being a police burgh."

Clause, as amended, *agreed to.*

Clause 13 (Mode of election by ratepayers).

Mr. MARK STEWART moved to insert, in page 9, line 23, after the word "election," the words "in such convenient place in each parish as he may appoint." The convener of the county might live a long way off, and it was expedient that meetings should be called at convenient places within the parish.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 14 (Trustees designated and incorporated) *agreed to.*

Clause 15 (Appointment of County Road Boards).

MR. J. W. BARCLAY rose to move, in page 10, line 11, to leave out from "shall," to "each," in line 12, and insert "may if they see fit at." There was no place for such a Board as here proposed; and although he did not propose to ask the Committee to omit this Board from the machinery of the Bill altogether, he moved his Amendment so as to make the appointment of such a Board entirely optional.

THE LORD ADVOCATE thought there could be no doubt that the proposal which had just been made raised an important question, and he regarded it as essential that the constitution and existence of a Road Board should be made imperative. He quite admitted that in some, if not most, of the counties of Scotland, the general management of the trustees was satisfactory. He quite admitted that when any question of importance arose, the trustees would become alive to its importance, and would discuss and deliberate fairly as to what should be done; and he would be no party to limiting that right of determination on the part of the general body of road trustees in a county. But those who were acquainted with the proceedings of such bodies must be aware of the fact that if they were left to themselves, the management devolved upon a few active persons who conducted the whole business of the trust without any personal responsibility, and who practically constituted the supreme authority within the county. His proposal was, that a Road Board should be instituted as a standing committee, which should have administrative powers, but which should still be subject to such regulations and instructions as the trustees might direct and provide. The Board would be able to carry out the directions which the general body of trustees might choose to give, and whenever it might happen to act in a manner which was not in conformity with the desire of the majority, it would be liable to have its actings set aside, and to have a plain rule laid down for future guidance. He did not propose that the Board should be left to take the entire management in districts and parishes; but he believed that, to the extent to which the Bill went, the proposal now under consideration was necessary to the satisfactory working of the measure.

MR. J. W. BARCLAY said, he regarded his proposal as so reasonable, that he thought the Government would have agreed to it. He could speak from considerable experience of one county in Scotland—he referred to Forfarshire—and he asserted with the greatest confidence that there was no room whatever for such a Board to occupy between the district and the general body of trustees. It would, in short, prove altogether a trumpery Board, and would be more likely to cause difficulties than anything else. Indeed, so far as he knew, there was not only no necessity for it in Forfarshire, but no necessity for it at all in any of those counties which had adopted private Acts, and he had not seen it urged in any Petitions which had been presented to the House that such a Board should be appointed. For what imperative duties would the Board bo called into existence? Simply these—that the district committee must report to the Board, and the Board to the trustees, instead of the committee reporting to the trustees directly, and that the Board should constitute a court of appeal. These were the only two imperative duties which were set out; but clearly the Board could not have any greater knowledge of the wants of the district than those districts themselves, and the general body of trustees might appoint a committee from among themselves to hear appeals. If, however, the Government were determined that there should be such a Board, he hoped that they would agree to this—that the trustees themselves should be allowed to appoint it, provided they found there was any necessity for doing so. If there were thought to be any such necessity, no doubt it would be appointed; but, for his own part, he regarded the proposal of the Bill as objectionable, and as being a cumbrous piece of machinery for which there was no necessity whatever.

Colonel MURE thought that if effect were given to the proposal of the hon. Member for Forfarshire (Mr. Barclay), the machinery would be much more cumbrous than it was at present.

Mr. RAMSAY said, it had been stated that there were counties in Scotland in which the proposed Board would be an advantage. That might be so; but he thought there were other counties with very large bodies of trustees in which no necessity whatever for any such Board existed, and to that extent his own experience concurred with that of the hon. Member for Forfarshire. He also agreed with the hon. Gentleman that if there were to be this appointment at all, perhaps the permissive method of procedure might be the best. The matter might be left to the trustees without any risk of inconvenience.

Amendment *negatived.*

Mr. ANDERSON said, he had given Notice of an Amendment, in page 10, lines 14 and 15, to leave out the words, "and not less than one-third and not more than one-half of the Board," in order to insert the words—

> "Of whom one-third shall be Commissioners of Supply, one-third shall be tenants, and one-third."

He had placed the Amendment on the Paper for the purpose of putting the Board on a better footing, by making one-third of it consist of Commissioners of Supply, one-third of tenants, and one-third of elected members. As, however, his former Amendment had been negatived, it would, of course, be impossible for him to carry this one; and, therefore, he would, with the permission of the Committee, withdraw it.

Amendment, by leave, *withdrawn.*

Colonel ALEXANDER, moved, as an Amendment, in page 10, line 14, to leave out "third," and insert "fourth." Under the clause, he remarked, the number of elected trustees appeared to be very large; for it provided that the County Board should consist of not more than 30 trustees, and not less than one-third, and not more than one-half, of the Board should be elected trustees. It was this proportion to which he objected. The elected trustees had not really so much interest in the matter as the other trustees, and they ought not, therefore, to possess such large representation at the Board. Under the clause as it stood, they might certainly form one-half of that body. It was in order to reduce the number of elected members from one-third to one-fourth that he proposed this Amendment.

The LORD ADVOCATE said, it was evident from the Amendments that had been placed upon the Paper, that there might be room for a good deal of difference of opinion on the matter; but he thought that the provisions of the Bill, as drawn up, constituted a fair compromise.

Mr. J. W. BARCLAY said, it would be very unfair if the elected trustees were to be reduced in number, as the hon. and gallant Member for South Ayrshire (Colonel Alexander) proposed. He thought that as the tenants were going to pay as much money as the Commissioners of Supply, they ought not to have any less share in the representation than one-half. The proposal made by the Bill was extremely unfair, and still more unfair and unreasonable was the Amendment of the hon. and gallant Gentleman opposite. If the hon. and gallant Member did not press his Amendment, he would move to leave out "one-third," in order to insert "one-half." As the elected trustees were, in any case, the representatives of those who paid at least one-half of the taxation, it certainly was a manifest injustice that they should have a smaller representation at this Board than the Commissioners of Supply. If the argument of his hon. and gallant Friend were correct, the Commissioners of Supply ought to pay a larger share of the taxation than they did at present. Instead of paying one-half of the rate, they ought to pay two-thirds, and in that case he would be willing that they should have a representation of two-thirds on the Board. The proposal embodied in the Bill was, in his judgment, contrary to the principles of sound legislation, and could only be carried by a majority of members of that Committee who were determined that the Commissioners of Supply should have an ascendency on the Board.

Lord ELCHO said, it was evident there were conflicting views upon this subject; but he thought that what the right hon. and learned Lord Advocate proposed was a fair medium course; and he, therefore, hoped that his right hon. and learned Friend would adhere to his proposal. It had been said that the elected trustees would not be adequately represented; but, if they were not, it would be their own fault. The Road Board was to be appointed at a general meeting of the body of trustees, and it was at that meeting that those gentlemen should look after their interests and the interests of those whom they might be called upon to represent. If they had a majority present at the general meeting, there could be little doubt that they would receive there a full representation—namely, one-half, on the County Road Board. He hoped the Government would stand by the clause, which appeared to him to be just and fair.

SIR GEORGE CAMPBELL thought there could be no doubt that in this case the "one-third" represented the principle that the elected trustees should be in a minority at the Board. ["No, no!"] The expression was "not less than one-third and not more than one-half." The general effect of that would be that the elected members would be in a minority. ["No, no!"] Well, on an average they would. They could not be more than one-half, and they might be less than one-half. The elected members would clearly represent the greater part of the taxation under the Bill. One-half of the taxation was paid by the tenants; but the elected members would represent not only the tenants, but small proprietors under £100 a-year and the burghs, and that being so, it was indisputable that it was unjust they should be put in a minority.

SIR WILLIAM CUNINGHAME said, that while he hoped his hon. and gallant Friend (Colonel Alexander) would not press his Amendment, he desired to point out that hon. Gentlemen who spoke of the elected trustees representing the body that paid more than one-half of the total charge, seemed entirely to forget that the tenants practically received back part of what they paid in the shape of diminished rents. This came, therefore, to a large extent out of the landlords' pockets.

COLONEL MURE said, he desired to supplement what had been stated by the hon. Baronet who had just spoken. Under Clause 65, proprietors would also have to pay for all new works—for new roads and new bridges. In addition to that, the whole burden of the debt would fall upon them; and, in all these circumstances, it was not at all fair to say that the elected trustees would pay a larger sum than the other trustees, and were consequently entitled to a larger representation. He hoped the right hon. and learned Lord Advocate would perceive that—"*In medias res tutissimus ibis.*"

Amendment, by leave, *withdrawn.*

MR. J. W. BARCLAY moved, as an Amendment, in page 10, lines 14 and 15, to leave out "and not less than one-third, and not more than one-half of the Board," and to insert "of whom one-half shall be elected trustees." With reference to the remarks of the last of the hon. Members who had spoken—his hon. and gallant Friend (Colonel Mure)—it ought to be remembered that the Bill provided that elected trustees should have no voice in the questions of debt or of new roads and bridges. The questions coming before the Board would be questions in connection with which the tenants would have to pay, and the landlords—the Commissioners—would also have to pay, and even if it were distinctly provided that there should be one-half for each, there was still no provision whatever that the burghs should be represented. But he maintained that those who would pay one-half of the taxation would be placed in a minority. On the simple grounds of equity, the House was bound to recognize the principle that those who contributed one-half of the taxation were entitled to one half of the representation. The hon. Member concluded by moving the Amendment.

Amendment proposed, in page 10, line 14, to leave out the words "third and not more than."—(*Mr. James Barclay.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

SIR GRAHAM MONTGOMERY hoped that the proposal of the Bill would be allowed to remain as it was. It would appear, from the manner in which some hon. Gentlemen had spoken, that there was actually an antagonism between the tenants and the Commissioners of Supply; but such an idea was a perfect delusion. The tenants would be represented at the Board, their interests would be duly considered and cared for, and matters would be conducted with as much economy as possible. In these circumstances, he really thought that they need not waste more time in discussion as to the word which should be put into the Bill.

Mr. M'LAREN said, the hon. Baronet who had just spoken (Sir Graham Montgomery) had protested against the idea that there was any difference of interest between the Commissioners of Supply and the tenants. He (Mr. M'Laren) would admit there was no antagonism between them; but, because of that very fact, why should the tenants be stigmatized as they would be, if they had not an equal vote and an equal representation? There could be no reason for it. He appealed to the Government to give way to the Amendment of his hon. Friend the Member for Forfarshire.

Mr. C. S. PARKER wished to point out to the Committee, that as the Amendment was now put, it would have an effect which, perhaps, was not contemplated — namely, that it would not equally divide the representation; but would provide that, while one-half of the Board must be elected trustees, more than one-half might be elected trustees. Therefore, the Amendment, if carried, might have the effect of giving more than one-half of the representation on the County Boards to the elected trustees. If it were true, as had been suggested, that there would be no antagonism between the two classes of governors, and that, if left alone, a fair proportion of each class would be appointed, he saw no particular reason why either the clause should not be allowed to stand in the form in which it appeared in the Bill, or why the words regulating the proportion of elected trustees should not be entirely omitted. If there were to be no antagonism, no harm could be done by either of these courses being adopted.

The CHAIRMAN pointed out that as the Amendment was originally drawn, it contained more words than were necessary, in that it laid down that not less than half and not more than half of the body should be elected trustees. He thought the object would be attained by shortening it to the words "not more than half."

Mr. J. W. BARCLAY said, he did not intend to turn the scale in the way suggested by the hon. Member for Perthshire (Mr. C. S. Parker); and if the words which he had moved were found to have a different signification from that which he attached to them, they could be amended on the Report. The object of his Amendment was to give an equal representation on the Board to the parties interested. He proposed that the Board should consist of half elected trustees and half Commissioners of Supply. If the Government were prepared to leave out the clause altogether, without specifying the numbers in any way, he should be quite content to accept this part of the Bill in that form, and trust to the sense of justice which he had no doubt pervaded the general body of trustees to do what was right in the matter.

Mr. M'LAGAN said, it seemed to be conceded that the interests of the landlords and tenants in this matter were not antagonistic. Well, they certainly were not antagonistic, but they were not identical. The one was permanent, and the other was temporary and fleeting, and only extended to the duration of his lease. If a road were allowed to go down for four or five or six years, it required at the end of the time a good deal of money to put it again in proper condition, and the cost must fall upon the landlord, the tenant who had not paid a fair proportion during his tenancy, but had used the roads, having probably moved away into another district. Therefore, he was inclined to take a middle course, and support the clause as it stood in the Bill.

Question put.

The Committee *divided*:—Ayes 121; Noes 69: Majority 52.—(Div. List, No. 165.)

Clause *agreed to.*

Clause 16 (County to be divided into districts, and district committees appointed).

Mr. ORR-EWING moved, as an Amendment, in page 10, line 24, to leave out the word "shall," and insert "may, if they think fit." The object of the Amendment was to leave it optional with the trustees to divide the county into districts for the purpose of managing the highways under their control.

MR. RAMSAY hoped that the right hon. and learned Lord Advocate would not agree to the Amendment; because, if it were thought right that there should be a County Board appointed in every case, it was equally requisite that there should be a division into districts in every case. He thought that if the hon. Member who moved the Amendment would just consider the circumstances of the county which he represented in that House, he would feel that, unless it were divided into districts, some injustice would be done to the inhabitants of very large areas. It was expedient, therefore, that this obligation should continue to exist.

SIR GRAHAM MONTGOMERY pointed out that in Scotland there were some counties so small that it would be very inexpedient to divide them into districts at all. Their number might not be large; but, at the same time, he thought the power referred to in the clause should be permissive.

MR. RAMSAY reminded the hon. Baronet that it was not imperative to make the division in any counties where there were not more than six parishes.

SIR GEORGE CAMPBELL said, that being so, the result of passing the clause in its present shape would be, that in the case of any small county which happened to contain seven parishes, it would be imperative to divide those parishes into more than one road district. That would be undesirable, and he, therefore, hoped the Amendment would be adopted.

MR. J. W. BARCLAY supported the proposal to divide each county into districts. If the Amendment were not adopted, the right hon. and learned Lord Advocate might consider the desirability, in certain cases, of extending the limit which he had introduced into the clause relating to the number of parishes. It was quite proper that as regarded all larger counties, at all events, they should be divided into districts.

THE LORD ADVOCATE thought it would be well to consider the suggestion just made by the hon. Member for Forfarshire (Mr. Barclay). At the same time, he thought it was exceedingly desirable that in some counties in Scotland, at all events, this should be made imperative; and he would remind the Committee that there was provided an appeal to the Secretary of State for the Home Department, with a view to see that the boundaries were rightly laid down. The present exception would exclude several of the smaller counties in Scotland; but it was impossible for him at that moment, without looking into the statistics of the case, and ascertaining the number of parishes in each county above that limit, to say what should be the proper figure in the clause.

MR. ORR-EWING insisted that great harm would be done to many counties by dividing them into districts. He thought it should be left to the whole body of the inhabitants in each county to decide whether the county should or should not be divided into districts.

MR. ASSHETON CROSS suggested that after what had been said, a fair case had been made out for a re-consideration of this particular question. He would remind the hon. Member (Mr. Orr-Ewing), that the right hon. and learned Lord Advocate had undertaken to look into the matter; but he could not say whether the number "six" should be altered before the Report.

SIR EDWARD COLEBROOKE agreed with the suggestion, remarking that, if passed in its present form, the clause would work great injustice in many parts of the country.

MR. ORR-EWING said, he would withdraw his Amendment, on the understanding that the right hon. and learned Lord Advocate recommended the clause —with reference to the point now raised—between the present stage and the Report.

THE LORD ADVOCATE said, he would do that, but added, it was possible that the statistics, when examined, might not enable the Government to propose any alteration in the limit contained in the clause. In that case, it would be open to the hon. Member for Dumbartonshire again to propose and to take the sense of the Committee upon his Amendment.

Amendment, by leave, *withdrawn.*

THE LORD ADVOCATE moved, in page 10, line 29, after "fit," to insert "but being, as far as may be, persons deriving their qualifications as trustees from lands within such district."

Amendment *agreed to;* words *inserted* accordingly.

Mr. J. W. BARCLAY moved, in page 10, line 29, to leave out the words from "committee," to "provided," in line 35. The Amendment raised a similar issue to that on which the Committee had recently divided; but, in the present case, it derived additional importance from the fact that the whole management of the roads would depend on the district committee. Therefore, it was of essential importance that upon these district committees the tenant-farmers should be fully represented. No doubt, in the appointment of these district committees, all the principal landowners in the district would wish to be placed upon it; but that would probably be the whole amount of interference which they would take upon themselves in the matter. If the tenants were not fairly and fully represented on these district committees, the practical result would be that the management of the roads would fall into the hands of officials, and that would be a very unfortunate position of affairs both for the landlords and the tenants. He was now speaking from practical experience of those counties which had come to Parliament for private Acts of their own, and it was a very remarkable thing that this Bill, which was brought in by the Government, was far more Tory in its character than the private Bills which had been promoted by the Commissioners of Supply themselves. That was one remarkable feature of this measure. He knew of no Bill, except that of the county which was represented by the noble Lord opposite (Lord Elcho), in which this invidious distinction was made between the two classes of trustees. If the tenant-farmers were not to have a direct voice in the management of the roads in the district in which they lived, all that would remain for them to do would be to vote in the election of those who should have such voice in the management of the roads. He therefore hoped that the Government would not insist upon this clause as it stood, because he did not speak now in the interest of the representative trustees alone, or of the Commissioners of Supply, but in the interest of both bodies; and it was of the utmost importance for the good working of this Bill and the economical management of the roads, that the tenant-trustees of the parish should feel that they had an active and direct interest in looking after the roads in their respective districts.

Amendment proposed, in page 10, line 29, to leave out from the word "committee," to the word "provided," in line 35, inclusive. — (*Mr. James Barclay.*)

Question proposed, "That the words 'of whom one' stand part of the Clause."

Lord ELCHO said, he would point out to the Committee that there were a hundred and odd clauses in the Bill. They were now on the 16th, and that day had been given to them for the purpose of making progress with a measure which, he supposed, they were all anxious to pass. Well, the arguments which the hon. Gentleman had adduced in favour of his present Amendment had already been urged by him in reference to a former Amendment, which the Committee, notwithstanding, had rejected, and affirmed the principle of the clause. Under these circumstances, he would suggest that if they wished to make progress, they would simply adopt or negative the Amendment of the hon. Member.

Question put.

The Committee *divided*:—Ayes 123; Noes 62: Majority 61.—(Div. List, No. 166.)

Mr. ANDERSON, in whose name the next three Amendments stood upon the Paper, said, they were intended to make the district committees precisely the same as to their construction as he desired the Board to be—namely, that they should be composed of one-third proprietors, one-third tenants, and one-third elected members. The Committee, however, had already entirely ignored the tenant-farmer, and precluded him from having any existence on the Board, except by accident. In two divisions it had declared its approval of the proposal that the Board and district committees should be so constructed that in no instance would the landed proprietors be left in a minority. It was, therefore, absolutely useless for him to move his Amendments, and he would not take up the time of the Committee by doing so.

Lord ELCHO said, he must protest against the allegation of the hon. Gentleman that the tenant-farmers had been ignored in the Bill.

MR. ANDERSON replied that they were ignored as a class, inasmuch as the only means which were open to a tenant-farmer to obtain a place on the Board were that he should be among the elected members. As a tenant-farmer he had no status, and it might easily happen under the Bill that the elected members might all be proprietors under £100 a-year, and not a single tenant on the Board.

Amendments, by leave, *withdrawn.*

Remaining Amendment (*Mr. Orr-Ewing*), by leave, *withdrawn.*

Clause *agreed to.*

Clause 17 (Appeal to Secretary of State as to formation of districts).

COLONEL ALEXANDER moved, in page 11, line 6, the omission of the words "Secretary of State," and the substitution for them of the words "Sheriff of the county." The Sheriff would, he contended, because of his greater local knowledge, be much better qualified to decide appeals relating to questions of boundary than a Member of the Government, however eminent, residing in London, and unacquainted with the various localities in regard to which an appeal was made.

MR. BAILLIE COCHRANE expressed a hope that the Government would accept the Amendment. It appeared to him to be quite out of the question that the Secretary of State in London could satisfactorily discharge the duties which the clause would impose upon him. The people of Scotland managed their own affairs very well, and he, for one, strongly objected to the tendency which prevailed at the present day to the system of centralization. It was quite evident, he thought, that the Secretary of State could not be so well acquainted as the Sheriffs of counties with local circumstances, on which the proper arrangement of boundaries very much depended; and he hoped the Government would think better of it, and not compel the Committee to divide.

SIR EDWARD COLEBROOKE hoped the Government would adhere to the clause as it stood. Under its operation, the words "Secretary of State" would in reality mean the Lord Advocate; and there would, in his opinion, be a great disadvantage in having questions which might arise with respect to the division of counties decided by a person who might be, to a considerable extent, mixed up with local affairs.

MR. MARK STEWART asked if it was necessary to have the clause at all, and stated that he had an Amendment to omit it altogether. He maintained that no necessity existed for giving a power of appeal at all. The greatest harmony, as a general rule, prevailed at the meetings of the Commissioners of Supply. There were, of course, from time to time, points on which differences of opinion existed; but the minority were always disposed to give way to the views of the majority. But, apart from that, what, he should like to know, could a Secretary of State understand about the intricacies involved in questions of boundary in each county in Scotland? What, again, did the Sheriff of a county know about local matters? He, of course, travelled about the county; but it by no means followed from that that he should possess the requisite information to enable him to be an efficient court of appeal under the Bill. The result of the adoption of the clause, too, would be, he firmly believed, to lead to no end of intrigues and expense in order to have questions settled in London, instead of having them disposed of, as at present, by one vote of the Commissioners of Supply, and, if necessary, re-settled at the expiration of a period of three years. The clause, in fact, would give rise to all sorts of plotting and nagging, which, in his opinion, it would be extremely desirable to avoid.

SIR EDWARD COLEBROOKE rose to Order. He wished to ask whether the hon. Gentleman was in Order in discussing an Amendment for the rejection of the clause, which stood in his name lower down on the Notice Paper, when the immediate question before the Committee was the Amendment of the hon. and gallant Member for South Ayrshire (Colonel Alexander)?

THE CHAIRMAN said, the hon. Member for Wigton (Mr. Mark Stewart) would not be in Order in making observations which were directed to the rejection of the clause as a whole, inasmuch as the Question before the Committee was a proposal to amend it.

MR. MARK STEWART would, of course, at once bow to the decision of the Chairman, and would simply say, in conclusion, that he greatly doubted whether the Sheriffs of counties in Scotland were competent to pronounce an impartial opinion on matters which, so far as he could see, could only be satisfactorily decided upon by the members of the Commission of Supply.

Mr. J. W. BARCLAY rose to Order. He thought it was doing a great injustice to the Sheriffs of Scotland to suppose that they could not arrive at an impartial opinion on such questions as would, under the operation of the clause, be submitted to them as a court of appeal.

The CHAIRMAN said, that if the hon. Member for Wigton (Mr. Mark Stewart) intended to cast any general reflection upon the administration of justice in Scotland, his remarks would not be in Order. He did not, however, understand that to be his intention.

Mr. MARK STEWART believed there was only one hon. Member in the House who would have objected to the words which he had used. What he meant to say was, that it would be difficult, if not impossible, to get men of judicial mind to decide with advantage on the vexed questions which might have to be submitted to them under the Bill. That, he might add, was not only his own private opinion, but the opinion of many persons who had had large and long experience in county matters in Scotland, who had brought the subject under his notice, and whose views he had promised to lay before the House.

Colonel MURE, in regard to the argument as between the Secretary of State and the Sheriff, might point out that this was not going to be an annual or general duty, because they had a new Act before them. The hon. Member for Dumbartonshire had pointed out that there were great inequalities in the different districts. At the same time, he should be prepared to support the idea that the Sheriff of the county would be better fitted for this duty than the Secretary of State; but he would like to know whether this Secretary of State was to be the English Secretary of State or the new Scottish Secretary of State? As to what had been said, that the Sheriff was not a good court of appeal on local matters, because he might, though not intentionally, be under local influences, he might say that the Sheriff was a local magnate, and he did not think that would be the case. He might, however, remind the Committee that the Sheriff was a Law Officer, appointed by the Court in Edinburgh, whose position in the country was merely temporary, and who, although he might not possess any special knowledge of local matters, was supposed to be acquainted with questions relating to lands and heritages. He would, therefore, so far as he could see, be about the best person to decide in cases of appeal. He should support the Amendment.

Sir GRAHAM MONTGOMERY noticed that it was a charge against the former Lord Advocates that they always put the Sheriffs in the Bill they introduced. Now, here was a case where the Lord Advocate exercised his discretion in another direction, and hon. Members stepped in and objected. For his own part, he believed the Secretary of State would be a very suitable authority to whom to give the proposed power of deciding in cases of appeal.

Mr. RAMSAY thought it probable that any reference to the Secretary of State might be found to be unnecessary; but, in the event of the clause remaining part of the Bill, he would prefer that it should pass in its present shape, because, without for a moment impugning the way in which the Sheriffs discharged their duties, and although he had full confidence in them, he must say he did not wish to see them take part in the settlements of any local differences of opinion with respect to the sub-division of counties.

The LORD ADVOCATE said, that if there had been the least affinity between the duties imposed by the clause and those which appertained to the judicial office, he, for one, should not have hesitated to give the matter to the Sheriff. No such affinity, however, existed. The duties which would have to be performed under the operation of the clause were far from being judicial, and would involve the Sheriffs in unpleasant disputes in the endeavour to arbitrate between the two halves of a county, with the certain result of giving dissatisfaction to one of them. He might also observe that, under certain public Acts, the duty had been imposed on the Sheriffs of defining burgh boundaries; and that, in all such cases, it had been provided that their decision should not be final, but that a right of appeal should be given to the Secretary of State. He hoped, he might add, that questions of the kind dealt with in the clause would, generally speaking, be settled by agreement, and that references to the Secretary of State would be exceedingly rare. The clause, he maintained, had in no way a centralizing tendency. It was not proposed to vest the administration of the law in the Secretary of State, but to enable him to decide between certain parties, and to make his decision final for a considerable time.

MR. BAILLIE COCHRANE said, the clause would give enormous powers to the Secretary of State to the extent of which he altogether objected. These powers, too, it should be borne in mind, were to last for 10 years. It appeared to him to be giving powers to the Secretary of State in London, and taking power from Scotland; and, under the circumstances, he hoped the Amendment would be pressed to a division.

Amendment *negatived.*

MR. M'LAREN wished to draw the noble Lord the Member for Haddingtonshire's (Lord Elcho's) attention to the fact that a great deal of time had been occupied by useless Amendments on the noble Lord's side of the House.

On Question, "That the Clause stand part of the Bill?"

MR. MARK STEWART moved its omission. It involved, he said, a question on which he entertained a very strong opinion. He could not see the object of bringing up questions relating to the sub-division of counties in Scotland to be reviewed periodically in London by the Secretary of State. The people of that country had hitherto been able to manage their own affairs without troubling others, and what good reason was there, he should like to know, why they should, in the present instance, be compelled to change a system which hitherto had been found to work well, and to submit to a decision by the Secretary of State which was to have effect for no less than 10 years? Alterations were made in Scotland in such matters as those with which the Bill dealt every October or April as the case might be; and it would, he thought, be much more satisfactory to Scotch Members and also to Scotchmen, that they should not be subjected to the provisions of a clause such as that under discussion.

MR. BAILLIE COCHRANE seconded the Amendment, and expressed a belief that if the clause were omitted from the Bill the Commissioners of Supply would settle disputed matters among themselves without the aid of the Secretary of State.

Moved, "That the Clause be struck out."—(*Mr. Mark Stewart.*)

MR. VANS AGNEW pointed out another objection to the clause. It would, in his opinion, give rise to persistent opposition on the part of small minorities. It would, in his opinion, be much better that the clause should be omitted from the Bill, and that each county should be allowed to manage its own affairs through the voice of the majority.

SIR EDWARD COLEBROOKE hoped the Government would abide by the clause. The case was one in which, in his opinion, a majority might in a mixed county or town population and suburban districts do a great deal of injury, unless the minority were invested with a right of appeal such as the clause proposed to give.

Question put, "That the Clause stand part of the Bill."

The Committee *divided:*—Ayes 162; Noes 9: Majority, 153.—(Div. List, No. 167.)

Clause *agreed to.*

Clause 18 (Islands to be districts).

MR. RAMSAY moved the omission, in page 11, lines 38 to 40, of the words—

> "And in payment of a reasonable share of the necessary general expenditure incurred in such county in the execution of this Act."

The whole of the money levied in an insular district ought, he contended, to be expended within the limits of that district, and he could not understand why islands should be saddled with any portion of the expenditure which might be incurred in carrying out the law on the mainland, inasmuch as they would derive no benefit from its operation.

THE LORD ADVOCATE thought the islands had been very fairly dealt with in the Bill. It was very difficult to say that a part of the county should be exempted bearing its share of the outlay. He thought that, to the extent of a reasonable sum, it was impossible to see any principle for not laying a proportion of these expenses upon the islands.

Mr. RAMSAY said, the only reason for which he proposed the Amendment was that the clause imposed upon the islands a payment, while no benefit could be received from the mainland parts of the county. He thought it unreasonable that they should be made to pay a part of the general expenditure.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 19 (Occasional vacancies to be supplied).

Mr. J. W. BARCLAY said, he would not move the Amendments to the clause which stood in his name on the Paper. He wished, at the same time, to suggest to the right hon. and learned Lord Advocate the desirability of empowering the trustees to supply any vacancies which might arise among their own number as well as in the Board.

The LORD ADVOCATE said, he would take the matter into consideration.

Clause *agreed to.*

Clause 20 (Failure to elect not to invalidate acts of trustees), *agreed to.*

Meetings of Trustees, Board, and Committee.

Clause 21 (Time and place of general meeting of the trustees); Clause 22 (Meetings of Board and district committees); and Clause 23 (Quorum at meetings of trustees' board, and committee); severally *agreed to.*

General Regulations for conducting the business of Meetings.

Clause 24 (Regulations as to meetings and proceedings of trustees' board, and district committees).

Dr. CAMERON moved the omission, in page 15, line 11, of the words—

> "But this provision shall not prevent a person whose name is entered on the list of Commissioners of Supply as factor for more than one proprietor, from voting on behalf of such proprietor in his absence at a meeting of the trustees."

The provisions, he contended, made, as it stood, a very invidious distinction in favour of a single class of commissioners.

The LORD ADVOCATE said, that a Commissioner of Supply who had £800 a-year according to the valuation roll, might be represented under the operation of the present law by his factor in his absence. If, then, two proprietors could vote if they sent two factors to a meeting, was it not reasonable that for the sake of convenience they should be enabled to vote by means of one?

Mr. RAMSAY was of opinion that the effect of the Amendment, if passed, would be to disfranchise a considerable number of proprietors who were represented at road trust meetings by their factors.

Mr. M'LAREN supported the Amendment. The clause in its present shape appeared to him to be most unjust. It would result in a revival of the old system which used to prevail in the House of Lords, when a Peer carried a majority of proxy votes in his pocket.

And, it being now ten minutes to Seven of the clock,

House *resumed.*

Committee report Progress; to sit again upon *Tuesday* 18th June, at Two of the clock.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

MOTIONS.

* * *

ENDOWED SCHOOLS (IRELAND).

MOTION FOR A SELECT COMMITTEE.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Lord RANDOLPH CHURCHILL rose to call attention to the Endowed Schools of Ireland, particularly with reference to the Report of the Royal Commission on Endowed Schools, Ireland, appointed in 1854, and to a Return recently laid upon the Table of the House; and to move—

> "That a Select Committee be appointed to inquire into the condition, revenues, and ma-

nagement of the Endowed Schools of Ireland, with instructions to report how far those endowments are at present promoting or are applicable to the promotion of Intermediate Education in that Country without distinction of class or religion."

In doing so, he wished to apologize to Irish Members for taking up what might be considered to be their peculiar property. His attention had been directed to the question, in the first place, because he thought the question of Irish education was not so much an Irish question as of one the most important Imperial questions of the day; secondly, because, though these endowments were in such a state of inefficiency as to demand the immediate attention of the Legislature, no Irish Member had devoted any attention to the subject; and, thirdly, because if the establishments with which they were connected were put into a thoroughly efficient state, they would have a most beneficial effect upon the higher education of the middle classes in Ireland. It was more than 40 years since these schools were last brought under the notice of Parliament; and he trusted, therefore, that he might claim the kind indulgence of the House while he touched very briefly upon some of the more striking facts connected with the subject. The endowments for educational purposes in Ireland were found, by the Report of the Royal Commission of 1854, to amount to £68,670 per annum, and were derived partly from landed estate and partly from funded property. The extent of the landed estate was 75,000 acres, and the funded property produced an income of £16,000 a-year. Competent authorities had stated that, under proper management, there could be little doubt that before a generation or two had passed the endowments would amount to nearly double that sum. The Commissioners of Education for Endowed Schools administered the funds of and generally controlled six Royal Grammar Schools and seven schools of private foundation which had been placed under their management in 1813. The endowments arose from 25,000 acres of land; but the net income was only 7,000 a-year, and that, he thought, was a point that required explanation. The celebrated foundation of Erasmus Smith had landed property of 12,000 acres, and produced an income of £9,000 a-year; but they had, at the time the Commission reported, a surplus of £3,000, and as they had given no account since that time, their income now might amount to anything from £12,000 to £20,000 a-year. They were supposed to support five grammar schools and 140 elementary schools. Another celebrated endowment was that called "The Incorporated Society," which was founded to support both higher and elementary education; it had an income of £11,000 per annum, arising from 17,000 acres of land, and £100,000 in the Funds. They supported eight boarding schools, and a number of day schools as well; but as, on the whole, this endowment was found by the Royal Commissioners to be fairly efficient, he did not propose to direct special attention to it on the present occasion. With respect to the Royal Free Schools, the State was directly responsible for their management, having placed them under certain Commissioners appointed by the State. As he had said, there were six of these Royal Free Schools — namely, Enniskillen, Armagh, Dungannon, Raphoe, Cavan, and Banagher. They were founded by James I. and Charles I., and their income was £7,395 per annum, in addition to exhibitions at Trinity College amounting to £1,200 per annum. They would accommodate 410 boarders, and 1,055 day scholars; but, as a matter of fact, they were only educating 150 boarders and 490 day scholars. The education was intended by the Royal Founders to be gratuitous; but, in actual fact, out of 671 pupils, only 85 received a gratuitous education. The schools were intended for the benefit of all Irish children, without distinction of creed. In the Report of 1858, the Royal Commissioners said—

> "We are of opinion that the Royal Schools are by their constitution essentially non-exclusive. They are not intended for pupils of only one religious persuasion, and the master has no power to compel all the pupils to receive religious instruction in his own tenets."

Yet, of the 671 scholars, only 49 were Catholics, and 45 Presbyterians; and of the 49 Catholics, 37 were educated in the Banagher School, so that only 11 pupils were left to be divided among the other five schools. The following quotation from the Report of the Royal Commission might, perhaps, explain how it was that the 25,000 acres under the management of the Endowed Schools Commissioners only produced a net income of £7,000 a-year. In it, they reported as follows:—

> "It appears, from the provisions of the Act of Parliament under which the Commissioners of Education were constituted, that it was part of their duty to take an annual account of the assets and liabilities of the Royal School estates. This, however, was not done; but, on the contrary, the accounts of the law agents were allowed to accumulate during a series of years, no provision being made for the payment of them. The accounts thus omitted contained some excessive items, yet they were allowed to remain untaxed during 13 years. In addition to this, the accounts of the Board were never audited from the date of its foundation down to the present time, and this neglect on the part of the Commissioners took place, although it was discovered, after one of their secretaries had died in insolvent circumstances in 1827, that he had appropriated the funds of one or two charities so long before as the year 1816, which they had reported in that year to have been invested in Government Stock, and had carried on a fraudulent system of concealment for 11 years previous to his death without detection. It also appeared in evidence that since 1827 considerable sums for the payment of law costs had been debited to several charities which ought properly to have been charged on the Consolidated Fund, and that payments had been made out of the funds of other endowments without any legal authority to warrant such an appropriation."

Nothwithstanding this, the accounts of the Board had never been audited from the time the Royal Commission reported up to the present day, and no action had been taken on that Report. He could only account for that by the supposition, that when the Report was issued, the Commissioners of Education must have felt that their last hour had come; for the Report recommended the formation of a new Board, and the present one had not thought it worth while to justify the continuance of its existence. Its annual Reports to Parliament were characterized by a candour which was almost cynical. It reported that one school, in a Catholic district, and with a large endowment, educated only five pupils—all Protestants—and another seven; and this was not a temporary condition of things, for the Royal Commission in 1858 reported the two as educating eight pupils between them. A school which, according to the annual Report, was "well attended"—namely, that of Clonmel—had accommodation for 115, and the attendance was only 38. Another—the Royal Free School at Dungannon—had accommodation for 170, and the attendance was 49. Another—that of Cavan—did not "present any variation," its condition having always been most unsatisfactory; and, with accommodation for 140, it had an attendance of 36, all Protestants, in a Catholic locality. A mastership of one school, that of Banagher, having fallen vacant in 1873, the then Lord Lieutenant (Earl Spencer) appointed a Catholic headmaster. Now, of the 42 scholars, 37 were Catholic, and this was the only school which showed any signs of improvement, in spite of every drawback and an income of only £164 per annum. Unfortunately, the Irish Church Act abolished the diocesan schools, which might have been made, under good management, useful centres of higher education. It was supposed they were sectarian institutions, and they were treated accordingly; but they were nothing of the kind; the Church had nothing to do with them, except to contribute to their support, and they were only called diocesan schools because, at the time they were formed, a diocese was a more convenient division to deal with than a county. These Commissioners of Education, with regard to their meetings and the difficulty they experienced in holding them, asked that the attendance of an *ex officio* member should not be required, and three ordinary members should form a quorum. Now, this paragraph in their Report threw great light upon the constitution of the Board of Commissioners. Among the Members were the Lord Chancellor, the Primate, some Bishops, some Judges, the Member for the University of Dublin for the time being—there being at the time of the constitution of the Board only one Member for the University. He did not know, however, which Member for the University now performed that duty. All these eminent persons had a thousand other things to attend to, and it was, therefore, impossible for them to give their attention to the complicated affairs that must arise in the management of 25,000 acres of land, £16,000 a-year in money, and some 15 or 16 schools, which ought to be educating nearly 3,000 scholars. The Royal Commissioners said of the permanent Commissioners—

> "Their number is, no doubt, considerable—too large, indeed, for the efficiency of such a body. Nevertheless, the attendance of members at board meetings has been uncertain and irre-

gular, and for some years past increasingly so. It was stated to us by Dr. Kyle, the secretary, that for the last few years it has been very difficult to procure the presence of the Commissioners, and that he has frequently been obliged to make personal solicitations to induce the members to come. The necessary quorum is only three, yet out of a number of 17 persons the average attendance has been but three and four, and has often been reduced to a minimum. The presence of one *ex officio* member is made essential by statute for the transaction of business. Nevertheless, Dr. Kyle stated there had been a difficulty in procuring the attendance of one such Commissioner."

There was, however, one day of the year on which heroic efforts were made to get these dignitaries together, and that was the day when the annual report had to be signed. On that important occasion the Lord Chancellor forsook his Court, the Primate his pulpit, the Judges their benches, and the Member for the University of Dublin for the time being turned up from goodness knows where; but all they did, however, was to ratify the impotent proceedings and lend the weight of their names to the maundering lucubrations of their octogenarian secretary. He thought that the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) would agree that that Commission was a corporation a trifle more unreformed than any of the bodies which he had had to deal with. All that he had said as to the Commissioners of Education would apply to the Governors of Erasmus Smith's foundation, and more. He should like to quote a passage of the Report of the Royal Commission—a perfect gem in its way, as showing how Irish endowments were managed—

"We found that there were four officers of the Board intrusted with the duty of keeping the accounts. The forms of accounts to be kept have been supplied by Mr. Fetherston, the solicitor to the Governors, and to him we were referred by the chairman for every information with respect to the ledger. But Mr. Fetherston stated that he never looked into the accounts unless some question was raised with regard to special items. He never examined the ledger or took any particular notice of it. He thought that Mr. Thorp, the assistant registrar, had charge of the accounts. This Mr. Thorp denied. The Rev. Mr. Hamilton, the registrar, stated that he never had anything to do with the accounts, and that he was not responsible for them; that Mr. Thorp did keep the accounts. Mr. Barlow, chairman and treasurer, thought it necessary to set Mr. Hamilton right upon that point, and stated that Mr. Hamilton was held responsible for the accounts by the Governors. He was aware, however, that Mr. Thorp actually kept the accounts. Mr. Thorp, to whom the keeping of the accounts was thus intrusted for a number of years, said that he did not understand at all what was meant by double entry in bookkeeping, and admitted he did not know what assets meant. The only check upon accounts thus kept was the audit by Mr. Barlow, chairman and treasurer, who, when questioned as to some errors, said—'I know nothing of it, as I never looked into the ledger in my life. I am not an accountant; I am not a bookkeeper; and if I did look at it, I dare say I should not be much wiser than I am at present. I am glad to have the opportunity of saying I never looked into a page of it.'"

Yet these were accounts relating to the management of 12,000 acres of land and an income of £10,000 a-year. The state of the Swordborough School was most unsatisfacfory, and that of the Robertson endowment was not only unsatisfactory in itself, but had prevented the establishment of satisfactory parochial schools. He might also quote the case of the Dublin Blue Coat foundation, amounting to £1,650 a-year, and which was a signal instance of the loss of property through neglect. If the title of that property had been kept up, it might now have been most valuable. Various other endowments might be mentioned in support of his argument; and last, but not least, there was that most monstrous of all anomalies, the Irish Society. After that statement of facts, he felt himself warranted in asking the House to agree to the Motion, for it was of the utmost importance that no opportunity should be lost of stimulating the existing educational institutions of Ireland. The Census Commissioners, in 1871, gave some important statistics as to the educational condition of Ireland generally, and it must be allowed to be altogether unsatisfactory. They said—

"Under the head of 'superior instruction,' a term which comprises all instruction not strictly elementary, the movement between 1861 and 1871 is upon the whole the reverse of gratifying, representing as it does for Ireland so miserable a percentage as ·05 to the total population. In 1861 the number of persons returned as under superior instruction, including everyone who by any forcing of the sense of the words could be said to be receiving, or in the way of receiving, something more than rudimentary instruction was 24,311. In 1871 these numbers had fallen to 24,170. Commentary would almost weaken the evidence of figures such as these; during a decade filled with the most excited struggles and impassioned debates upon the subject of higher instruction, and in a country where the appliances in aid of that instruction, whether from ancient foundations, from the liberality of Parliament, or from private munificence, are certainly not scanty, a decrease is to be registered in the number of those who, upon the most charitable interpretation, can be treated as in the receipt of higher instruction. This flush of means and beggarliness of results exists, moreover, in a nation whose impulse would move it in the direction of excess rather than of defect along the line of liberal studies if those impulses were allowed full play. By some means or other the higher intellectual life of the country is plainly being starved and dwarfed; nor is there a moment to be lost before those upon whom the cure lies should apply their faculties to the infusion of blood and spirit into the dry bones of public instruction in Ireland."

This was testimony which revealed a state of things which was discreditable to Ireland, which was discreditable to the Imperial Parliament, and which, if no remedy was applied to it, would most certainly be discreditable to the Ministers of the Crown. He knew he should be told that Ireland was prosperous, and he would not deny that she had made a certain material progress. In proof that she had done so, they might enumerate the horses, cattle, pigs, sheep, and also, if they liked, the donkeys in that country; for he had seen it stated in a statistical paper that Ireland was a very prosperous country because of the number of its donkeys. But if they compared her rate of progress in those respects, however, with the corresponding rates of progress in England and Scotland, they would find that the boasted prosperity of Ireland was subjected to the most disappointing diminutions. How, indeed, could material wealth, and the rich natural resources with which Ireland was endowed, be turned to the best account when the means of distributing scientific culture among the masses of the people were so utterly deficient. He saw that the noble and gallant Lord the Member for Waterford County (Lord Charles Beresford) had placed on the Paper an Amendment to the Motion, in favour of denominational education. On that point he (Lord Randolph Churchill) agreed with the noble and gallant Lord, who was, no doubt, himself a brilliant specimen of denominational education; and if he would bring forward his proposal at a future time, he would gladly support it. As an addition, however, to the present Motion, it was neither appropriate, nor germane to the question. He hoped, therefore, that the Amendment would not be pressed, because it would only complicate the issue before the House, and embarrass hon. Members in arriving at a proper conclusion. He trusted, also, that the Government would not refuse to accede to his Motion. If, unfortunately, they did so, he could not see how they could escape the charge of being apathetic and indifferent to that subject, or how they could prevent its being said—to quote a now historical expression—"Will Ireland be content; can Ireland be content; ought Ireland to be content?" The House had every reason, however, to believe that the Government were far from apathetic on the education question, and he was only asking them to begin in Ireland a work with regard to her endowed schools which had been completed in England, and which was nearly completed in Scotland, and for which there was 10 times greater justification in Ireland than there ever had been in England or Scotland. The noble Lord concluded by moving the Resolution of which he had given Notice.

Mr. CHAMBERLAIN, in seconding the Resolution, said, he was quite sure that those who had heard the speech of the noble Lord (Lord Randolph Churchill) would feel that they owed thanks to him for having called attention to such an important subject, and for having introduced it in so able and interesting a speech. For his own part, as an English Member, he (Mr. Chamberlain) would make no apology for seconding the Resolution, for he felt sure that Irish Members would welcome any proof that English Members were interested in Irish grievances. It would be admitted on all sides that the state of education in Ireland was thoroughly unsatisfactory in all its branches, and he was unable to share in the opinion of his noble Friend that no charge of apathy respecting it could be made against the Government. He certainly thought it was hardly creditable to a strong Government that it had done nothing in five Sessions to meet the legitimate aspirations of the Irish people in the matter. The Resolution proposed by the noble Lord might have gone further, seeing that it dealt only with the fringe of the subject; but it was none the less important on that account. He imagined that the Government would see that they could not deal with intermediate education, unless they arranged to take the greatest possible advantage of existing foundations. These foundations were of considerable importance in Ireland, their total income amounting to nearly £70,000 per annum. In comparison to English endowments they sank into insignificance, for the Endowed Schools Commission reported in 1867 that the gross income of the English foundations was nearly £600,000 per annum; and they reported upon nearly 3,000 endowments. But the comparative smallness of Irish endowments was an additional reason why the most should be made of such facilities as existed. They found that in the Royal Free Schools of Ireland there was accommodation for 1,500 students, while less than 700 were offering themselves, and while the grammar schools could accommodate 1,200, they only contained 800 scholars. It was, therefore, evident that there was great room for such an inquiry as had been suggested, and the Resolution of the noble Lord did not in the slightest degree prejudge the nature of the reforms which might be recommended. Precisely the same allegations which the noble Lord made against Irish endowed schools were made some years ago against English endowed schools, and an exposure of the abuses of the latter led to their reform. The abuses connected with the endowed schools in Ireland had been pointed out many years ago in various Reports; they were proved up to the hilt in the Report of the Irish Commission of 1854, and it was very difficult to see how such a Report had been permitted for 20 years to remain waste paper. It was stated, with regard to many of the smaller endowments in England, that the teachers had become mere parasites and pensioners upon the fund, and that the accounts were found to be most inefficiently kept, and there was not one of these charges which could not be brought with equal truth and force against the Irish endowments. They knew that in England abuses were long-lived; but in Ireland they seemed to have the life of a cat. From the Report relating to the Erasmus Smith foundation, the whole thing seemed to be regarded as a gigantic practical joke, and was quite worthy of the philosophers of Laputa. From a Report of the Commission of Lord Powis, in 1870, it appeared that the same official was still in charge of the accounts; but it was not stated whether he yet knew what double-entry meant, or that he could distinguish between assets and liabilities. The original intention of that foundation was to provide middle-class education in the localities in which the Erasmus Smith schools were established; but in 1858 only 10 per cent of the total endowment was applied to middle-class education, and the whole of the rest was devoted to elementary instruction, and therefore to the relief of the rates—to the saving of the pockets of those who might fairly be regarded as responsible for primary education. It was perfectly evident that the system of education in Ireland concealed abuses which at least were as great, and probably greater, than any disclosed by Schools Inquiry Commissions in England; and he could not but conceive why what was sauce for the goose should not be sauce for the gander, or why the legislation which had proved beneficial in England should not be applied to Ireland. Since the Report of the Schools Inquiry Commission, there was no proof that these institutions had voluntarily reformed themselves—in fact, there was every reason to suppose they had not; for experience taught him that self-electing and non-representative Bodies were rarely capable of self-improvement. He ventured to call the attention of the House to the part of the Census Commissioners' Report, which dealt with the fact that, while almost the whole of these endowed schools were strictly confined to the members of the Protestant Church, yet there had been an actual retrogression in the matter of Protestant education. On the other hand, the Roman Catholics had progressed in education. In fact, these endowments had acted as a hindrance to education instead of a benefit. From 1861 to 1871, the Report showed that there had been a diminution to the extent of 14½ per cent in the number of Protestant Episcopalians receiving intermediate education. The effect of these endowments had been, and still was, to discourage voluntary effort and individual enterprize. With such an indictment as had been brought against these endowments, it seemed to him impossible to understand on what ground the Motion of the noble Lord the Member for Woodstock could be resisted. If it could be alleged that the grosser abuses to which they had pointed, and which existed at the time of the Report of the Commission in 1858 had now ceased, still there would be this reason for a Committee of Inquiry—that it was desirable to revise these foundations in order to ascertain whether they could not be made more generally available for the whole population, in order to remove the exclusive character they now possessed. Those who managed these endowments should not be permitted to fritter away the income at their disposal by making petty doles to small and comparatively useless institutions, instead of employing them in promoting really important educational institutions. The Amendment about to be proposed by the noble and gallant Lord the Member for Waterford (Lord Charles Beresford) was entirely alien to the object of the Motion, and, to an extent, it was deficient in meaning, and therefore he saw no reason why the House should accept it. For what purpose should an inquiry be held into the practicability of establishing denominational schools in Ireland? These very establishments, with regard to which an inquiry was asked for, were denominational institutions. They were Protestant Episcopalian denominational schools. Perhaps the noble and gallant Lord wished to inquire into the practicability of establishing Roman Catholic denominational schools in Ireland? But there was no need for inquiring into that subject, inasmuch as it was perfectly practicable to establish such schools, if the necessary private endowments were forthcoming. If, however, the noble and gallant Lord wished to know whether it was practicable to establish Roman Catholic denominational schools by means of State aid, the answer was—"Certainly, the moment that Parliament chose to sanction such a proceeding." The noble Lord who had brought forward this Motion had acted very considerately towards Her Majesty's Government in limiting its terms to a demand for inquiry, seeing that he might have asked for immediate legislation. But, probably, he had compared the promises made in the Queen's Speech with their fulfilment down to the present time, and if he had done so, he would have found that of eight measures so promised only one had as yet passed into law—namely, the Factories and Workshops Bill. The others were hung up, like Mahomet's coffin, between heaven and earth, and the prospect of their being realized was very doubtful. It was wiser of the noble Lord to ask for inquiry, and, his Motion being confined to that, in his (Mr. Chamberlain's) opinion, the Government could not refuse it, unless they desired to have it believed that they were anxious to conceal abuses the existence of which they could neither deny nor defend.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the condition, revenues, and management of the Endowed Schools of Ireland, with instructions to report how far those endowments are at present promoting or are applicable to the promotion of Intermediate Education in that Country without distinction of class or religion."—(*Lord Randolph Churchill.*)

Lord CHARLES BERESFORD, in rising to move the Amendment of which he had given Notice, to add to the Motion—"and also into the practicability of establishing schools upon the denominational system," said, the noble Lord's (Lord Randolph Churchill's) Motion touched Irish education only in a certain part; but it was desirable that the whole subject should be inquired into, and with that view he should divide the House upon his Amendment. He believed that what was wanted was not only a new system of endowments, but a new system altogether—a denominational system, which he believed would be found more efficient than that which at present existed, and which did not please anybody, either Protestant or Roman Catholic. The question ought to be taken in hand as soon as possible; and he hoped that more was to be expected in this matter from the Conservatives than had yet been offered by the Liberals—they being pledged against the denominational system—that the Government would, at least, give that system a fair trial. For a system of education to be useful, the teacher and the pupil must be of the same religion; and no system like the present, under which the pupil must look upon his teacher as either a heretic or an idolater, could work efficiently. The strongest argument in favour of denominational schools was that they were admittedly the best managed educational institutions. The real difficulty with regard to the denominational system was, that the State did not like to make grants for educational purposes unless it had control over the manner in which that education was given; and, on the other hand, neither Protestants nor Catholics were prepared to give up to the Government their control of the education to be given to their children. That, of course, was a very great difficulty; but he believed that if a Committee were appointed to inquire into the subject, they would find the way to a compromise. He could not help thinking that this religious principle was too much talked about in connection with education debates. ["No, no!"] Why, the whole question of religion was a matter of the accident of birth, the children generally inheriting their religion from their parents. His father and mother happened to be Protestants, and therefore he was a Protestant. So it happened all the world over. Why not live and let live? For his own part, he believed that a Mohammedan or a Bhuddist, or any other man, if honest and conscientious in acting up to his convictions, had as good a chance of getting to Heaven as a Protestant or a Roman Catholic. At all events, the denominational system, he believed, would be found to work well; and, with a view to the adoption of a new system in that direction, he begged to move his Amendment.

MR. KING-HARMAN seconded the Amendment, affirming that the only hope for checking the spread of revolutionary principles in Ireland was a sound religious education, which the present system failed to supply. He could not agree with the noble Lord who had moved it, that too much was said in these education debates on the question of religion, for he could not imagine how that could happen. Education without religion was, to his mind, worse than no education at all, and he thought it would be a good thing for the country, and he should like to see established in Ireland a system, by means of which the children of Protestants and Catholics could be educated together; but he feared that was not possible, as they would not work harmoniously together. There could, however, be no reason why the whole question should not be referred to one and the same Committee, with good hope that satisfactory results would follow.

Amendment proposed,

At the end of the Question, to add the words "and also into the practicability of establishing schools upon the denominational system."—(*Lord Charles Beresford.*)

Question proposed, "That those words be there added."

DR. WARD said, he was glad to hear the Conservative Representatives of Protestant constituencies contending for the denominational education which the Liberal Members representing Roman Catholic voters had so long contended for. While he thanked the noble and gallant Lord who had moved the Amendment (Lord Charles Beresford) for it, at the same time he would ask him not to press it. He did so for the reason that he could not help thinking that it was inopportune to mix the question of denominational education with the question whether large sums left for the endowment of education had not been misappropriated and ought not to be applied in accordance with the will of the people. If Her Majesty's Government refused investigation into the entire subject, they would be shirking their responsibility, and he should know how to regard their promises with respect to that of intermediate education.

MR. O'SHAUGHNESSY thought that inquiry into the subject of the disposal of the enormous funds devoted to denominational education in Ireland was urgently needed; but the Amendment which had been moved went too far, and dragged in questions which it was advisable at present to avoid. The object of those who supported the original Motion was simply to raise the standard of the present denominational schools in Ireland, by giving them an opportunity of attaining a greater degree of efficiency; but that object would be endangered by raising wider questions on which there were great differences of opinion. The adoption of the Motion would interpose no obstacle to the promotion and passing of any measure which Her Majesty's Government might have in contemplation on the subject of intermediate education.

SIR GEORGE BOWYER cordially agreed with the views expressed by the noble and gallant Lord who had moved the Amendment (Lord Charles Beresford). He (Sir George Bowyer) regarded the idea of carrying out a system of mixed education in Ireland as an idle dream. Mixed education was a good idea in itself; but, practically, it could not be carried out, and no education could, in his opinion, be beneficial which was not founded upon religion. Mixed education was inconsistent with a religious system, and, so far as pure secular education was concerned, they had now seen some of its results. Secular, or godless education, was radically bad, and all over Europe they saw the spread of Socialism as the consequence of its establishment. Under it, the young grew up without being amenable to any authority. It had especially been found most disastrous in Germany. The Governments of Europe thought that in increasing secular education they were increasing their power; but they had discovered that they had raised a monster which they could not guide. He hoped, however, that the noble and gallant Lord would withdraw his Amendment, as, if agreed to, the labours of the Committee would be interminable, and therefore fruitless. This was a question of policy, and the House should decide it.

Sir JOSEPH M'KENNA also hoped that the noble and gallant Lord the Member for Waterford (Lord Charles Beresford) would withdraw his Amendment. It was, no doubt, very good in itself, and might be usefully considered at a subsequent period; but, at present, it could only tend to hamper the Committee, and he did not think it should be mixed up with the Motion of the noble Lord the Member for Woodstock (Lord Randolph Churchill).

Mr. ERRINGTON thought injustice was done to the Amendment by calling it irrelevant, and that it really supplemented the Motion in an important particular. The Motion contained an instruction to the Committee to proceed on certain lines; and this rendered the further instruction contained not only relevant, but opportune and necessary. He, therefore, hoped it would be pressed, unless the noble Lord the Member for Woodstock agreed to leave out the words in his Motion "without distinction of class or religion."

Major NOLAN thanked the noble Lord the Member for Woodstock (Lord Randolph Churchill) for his speech, which would become an historical document in Ireland. This was a most difficult matter for the Irish Members to consider at the present moment. The Amendment would suit his views if it could be carried, and in that view he would heartily support it; but he was afraid that the Government would vote both against the Amendment and Resolution, and that would leave the Irish Members in some difficulty. He did not wish that this question should be made the pretext for shelving that of intermediate education. He hoped that the noble and gallant Lord opposite (Lord Charles Beresford) would withdraw his Amendment, unless the Government supported it.

Mr. NEWDEGATE believed there was need for an inquiry into these endowed schools; but he hoped Ministers would be careful in dealing with the subject, and that the Protestants of Ireland would not be deprived of the endowments which they now possessed, and to which they were entitled. He supposed the wish of the noble and gallant Lord the Member for Waterford (Lord Charles Beresford) was to preserve the denominational character of the endowments, but he should recommend him not to press his Amendment. If the mixed system were "rotten," it was the result of the determination of the Catholic Hierarchy to exclude from the schools the Scripture extracts in the use of which the Catholic and the Protestant Primates had concurred.

Mr. W. E. FORSTER said, he had not been fortunate enough to hear the speech of the noble Lord who brought forward this Motion (Lord Randolph Churchill); but he understood that he had made out a very powerful case for an inquiry. It was acknowledged that the great educational want of Ireland was that of secondary and intermediate education, and he trusted that the discussion would be confined to the manner in which that want was to be met. There were certain endowments for the purpose, and the question was how they could be best utilized. There could be no doubt that great abuses existed in reference to the endowed schools of Ireland, and the only objection that ought to be urged against the Motion should be either that a case had not been made out—which no one suggested—or that a Commission would be better than a Committee. He should have supposed that a Commission might have been better than a Committee, if it had not been that there was a Commission 20 years ago, whose Report had furnished many of the facts, but on which Report no action had been taken. The matter, therefore, seemed one for a Committee. If the Government thought its inquiry would militate against the progress of their promised Bill, perhaps the general opinion would be that the Motion ought not to be pressed; but he could not conceive that inquiry could be otherwise than useful in facilitating legislative action. There was a strong case for making a similar inquiry by a Committee for Ireland to that which had been made by Commission for England and Scotland. With regard to the Amendment of the noble and gallant Lord the Member for Waterford (Lord Charles Beresford), it appeared to him that the pressing of that Amendment would be a mistake, and that it would be almost fatal to any educational object in that matter. For himself, he had a strong opinion in regard to separating religion from education; but he thought the true question ought to be considered appropriately and at the right time. They had a case for inquiry as to how far certain endowments had been misused, and the noble and gallant Lord the Member for Waterford wished the Committee also to inquire how they were to put up denominational schools. But if they put that second subject of inquiry on the back of the first subject, the first would be utterly lost sight of. Let them first ascertain the facts as to how these endowments had been abused, and afterwards the important question of religious education could be considered. In dealing with the question they should not forget that they were legislating for Irishmen, and not for Englishmen or Scotchmen.

MR. J. LOWTHER thought the House would not complain of the manner in which that evening had been spent, as they had had some very instructive, and—he was bound to say, speaking for himself—very amusing speeches. They had had, first, the able and amusing speech of his noble Friend the Member for Woodstock (Lord Randolph Churchill), who had devoted great attention to that subject. Most hon. Gentlemen must have thought the noble Lord's statements were of a somewhat startling character, and might also have felt some curiosity to see the proofs by which they could be established. Next came the Amendment of the noble and gallant Lord the Member for Waterford (Lord Charles Beresford), which was supported by that ability and wit for which he was so well known in the House. His noble and gallant Friend the Member for Waterford had scarcely been used fairly in that discussion. Hon. Members had urged that the Amendment was inconvenient, and he could fully believe that to many of them it would be most inconvenient. But the Motion was also inconvenient. Now, speaking for himself and the Government, he need hardly say they could not accept the Amendment, whatever course they might adopt as to the Motion. At the same time, representing, as he did, an important Irish constituency in which strong feelings were entertained on the subject of that Amendment, his noble and gallant Friend was not only justified in raising, but bound to raise, that question; and he (Mr. Lowther) could not agree with those who said that if the Motion of the noble Lord the Member for Woodstock were adopted, the Amendment would be out of place. Now, there were parts of the speech of the noble Lord the Member for Woodstock which the House generally would admit were deserving of their serious attention. His noble Friend had alleged against the Endowed Schools maladministration of the temporalities in their hands, and had suggested that a Committee of that House should inquire into their management. He did not deny that his noble Friend had made out a *primâ facie* case for an inquiry of some kind, although he had prudently reserved his proofs for a tribunal competent to deal with such details. But a Committee of that House would be one of the most inappropriate bodies to conduct such an investigation. ["No, no!"] His noble Friend had mainly based his case on maladministration in regard to the management of farms, the collection of rents, the audit of accounts, and various other details, many of them involving local elements; and a Committee of that House was hardly the tribunal to which matters of that kind should be referred. His noble Friend had referred to the great question of the policy which was to regulate Parliament on the subject of intermediate education. With regard to it, it was his (Mr. Lowther's) duty last night to make an announcement of the policy which Her Majesty's Government intended to submit to Parliament. He stated that it was the intention of the Government at an early period to introduce in the other House of Parliament a measure dealing with that important subject. He could not imagine that the noble Lord had any means of knowing what that measure would be. He (Mr. Lowther) was not going to avail himself of the present opportunity by attempting prematurely to divulge its details. But he thought the House would be disposed to agree with his contention, that there were two distinct branches involved in the Motion of his noble Friend. There was the question of the administration of the temporalities in the hands of the Commission, and there was the question of the policy which should guide Parliament in dealing with the question of education. With regard to the question of policy, he thought the Government had already expressed their intention of dealing with it. If the House were to appoint a Committee, it would be the duty of the Government, out of respect to that Committee, not to introduce any measure in anticipation of its Report. He thought the Government could hardly be expected, in the face of a Committee appointed by one of the Houses of Parliament, to introduce a measure and take the subject out of its hands. He would admit that his noble Friend the Member for Woodstock had made a statement with regard to the management of the temporalities of these academies, which he thought deserving of inquiry; but he thought a Committee of that House could not undertake properly those limited and merely local functions. He thought inquiries would be more appropriately conducted by a small Commission appointed for the specific purpose of inquiring into the management of the temporalities. If that suggestion would fall in with the views of his noble Friend and those who supported him, he should be quite willing to undertake that a Commission of the character which he had mentioned should shortly be appointed to inquire into and report upon the management and conduct of the temporalities and revenues of those bodies. He hoped that, in these circumstances, his noble Friend would be satisfied with the important discussion which he had raised upon this question, and would not press his Motion. Of course, some alterations would be required to adapt his Motion to the limited inquiries to which he (Mr. J. Lowther) had referred. He hoped, also, that his noble and gallant Friend the Member for Waterford, who had contributed so ably to this discussion, would see that, in the circumstances, he would certainly be consulting the interests he had at heart, and also the convenience of the House, by not pressing his Amendment.

THE O'CONOR DON said, he must express the deep obligations of himself, and he thought he might say of all the Members connected with Ireland, to the noble Lord the Member for Woodstock (Lord Randolph Churchill), for the great interest he had taken in this subject, and for the manner in which he had introduced the Motion. He hoped, however, that the noble Lord would accept the proposition of the right hon. Gentleman the Chief Secretary for Ireland. He entirely concurred in the remarks he had made, and was glad to learn that the inquiry which he had suggested would not interfere with the intended measure of the Government.

LORD RANDOLPH CHURCHILL consented to withdraw his Motion, on the distinct understanding that there would be no limit to the inquiry of the Commission, and that it would have full powers to inquire into the existing condition of the schools, their management, and their revenues.

MR. J. LOWTHER said, it must be understood that he did not propose that there should be a Royal Commission. What he was prepared to agree to was a small Commission to inquire into the subject of the management of the property. He would be happy to communicate with his noble Friend as to the terms under which such a Commission might be appointed.

Amendment and Motion, by leave, *withdrawn.*

DOVER AND CALAIS MAIL CONTRACT.
RESOLUTION.

Motion made, and Question proposed,

"That the Contract entered into between the South Eastern Railway Company and the London, Chatham, and Dover Railway Company and the Postmaster General for the conveyance of the Mails between Dover and Calais be approved."—(*Sir Henry Selwin-Ibbetson.*)

SIR WILLIAM FRASER moved, as an Amendment—

"That this House declines to approve the said Contract until an undertaking be given by the South Eastern Company and the London, Chatham, and Dover Company to provide more adequate service in their steam vessels."

He complained that the boats which were used by these two Companies for the cross-Channel traffic were not what they should be; that they were often overcrowded; and that the accommodation for the vast number of inhabitants of this country who went and returned from abroad every year was most inadequate. Seeing that in the course of the autumn very large numbers of the public would be proceeding to France, he felt that it was necessary some steps should be taken to remedy the present wants, so that something like decent accommodation should be provided for the public. He therefore declined to assent to the proposed contract, which showed an increase of £8,000 over the former terms, until some satisfactory assurances were given for the future. The House had no other means of objecting to the present inferior service than the present Motion, and therefore he begged to move his Amendment.

MR. BIGGAR seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House declines to approve the said Contract until an undertaking be given by the South Eastern Company and the London, Chatham, and Dover Company to provide more adequate service in their steam vessels,"—(*Sir William Fraser,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MAJOR DICKSON said, the moment chosen by the hon. and gallant Baronet the Member for Kidderminster (Sir William Fraser) for making his proposal was most inopportune, as the London, Chatham, and Dover Railway Company were at that moment engaged upon some costly experiments, which, if successful, would prove a great boon to those travelling between Dover and Calais. It had been found impossible, in the present state of Calais harbour, to use ships with single keels of larger size than those at present employed in the service. The Company had therefore purchased the the *Calais-Douvres*, a twin ship of considerable size, in order to carry on a difficult service in a satisfactory manner. He denied that the accommodation afforded was so bad as it was represented to be; and with respect to the increase in the amount of the contract, he explained that it was necessary by reason of the fact that they had to carry a much heavier quantity of mails, and that their expenses had largely increased through the increased cost of materials and wages. It was the desire of those who conducted the Continental service between Dover and Calais to do so in the most efficient manner; but to do so at the rates the Companies were at present receiving involved a great loss, and he was sure that the House would not require such a sacrifice from any Company. The French Government were making a large increase in the size and capabilities of Calais harbour, and when those works were completed, as they would be in about four years, the Company would be able to have larger and more powerful boats than could be employed under existing circumstances.

SIR HENRY SELWIN-IBBETSON said, he could not admit that the answer of the hon. and gallant Member for Dover (Major Dickson) on behalf of the Company was satisfactory, for the reason that the only answer they had made to offers on the part of the Government of assistance in the work they had to perform was a demand for an increased subsidy. This had resulted, he supposed, from the fact that the railway communication was practically in the hands of one Company, which rendered it difficult for the Government to do anything except submit. At the same time, however, he wished to point out that the service in question was a very peculiar one, and that there had to be considered the disadvantages of the harbours at both sides of the Channel. He thought that what had been done in the matter was the best that could be done in the circumstances. On the whole, therefore, he hoped that the hon. and gallant Baronet the Member for

Kidderminster (Sir William Fraser) would be satisfied with simply having called attention to the subject, and would not press his Motion to a division. There was no doubt that great public good would result from the improvement of the harbours in connection with the service, and that when those harbours were improved larger boats could be employed, and the service could be conducted more satisfactorily. Meanwhile, he hoped that the proposal of the Government to continue the existing contract would meet with general approval, and that it would be seen that the course taken by the Government was the only one that could well be adopted in the circumstances.

Amendment, by leave, *withdrawn.*

Main Question put.

Resolved, That the Contract entered into between the South Eastern Railway Company and the London, Chatham, and Dover Railway Company and the Postmaster General for the conveyance of the Mails between Dover and Calais be approved.

LOCAL GOVERNMENT PROVISIONAL ORDERS (IRELAND) CONFIRMATION (DOWNPATRICK, &c.) BILL.

On Motion of Mr. James Lowther, Bill for confirming certain Provisional Orders of the Local Government Board for Ireland relating to Waterworks in the Poor Law Union of Downpatrick, *ordered* to be brought in by Mr. James Lowther and Mr. Attorney General for Ireland.

ORDERS OF THE DAY.

RACECOURSES (LICENSING) BILL.

(*Mr. Anderson, Sir Thomas Chambers, Sir James Lawrence.*)

[BILL 173.] COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Mr. STACPOOLE rose to move that Progress be reported. The Bill was opposed by several hon. Members; but he was not aware that any of them were present.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Stacpoole.*)

Sir Henry Selwin-Ibbetson

Mr. ANDERSON thought it rather hard that the hon. Member should make that Motion. Four months ago the Bill gained its second reading, and, during that long interval, not a single Amendment had been proposed to any of its clauses. Moreover, all the Amendments asked for by the Government had been incorporated in the Bill.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members not being present,

Mr. Speaker resumed the Chair; House counted, and 40 Members not being present,

House adjourned at a quarter after
Twelve o'clock till Thursday.

* * *

HOUSE OF LORDS,

Thursday, 6th June, 1878.

MINUTES.]—Public Bills—*First Reading*—Elementary Education Provisional Order Confirmation (Portsmouth) * (108); Pier and Harbour Orders Confirmation (No. 1) * (109); Pier and Harbour Orders Confirmation (No. 2) * (110).

Second Reading—General Police and Improvement Provisional Order (Paisley) * (91); Local Government Provisional Orders (Birmingham, &c.) * (95); Poor Law Amendment Act (1876) Amendment (99).

Second Reading—Committee negatived—Consolidated Fund (No. 3) *; Exchequer Bonds (No. 2) *.

Select Committee—Telegraphs * (77), *nominated.*

Committee—Report—Local Government Provisional Orders (Droitwich, &c.) * (94); Elementary Education Provisional Order Confirmation (Mickleover) * (92).

Third Reading—Metropolis Improvement Provisional Orders Confirmation (Bowman's Buildings, Marylebone, &c.) * (61); Medical Act, 1858, Amendment * (104); Gas and Water Orders Confirmation * (93), and *passed.*

POOR LAW AMENDMENT ACT (1876) AMENDMENT BILL.

(*The Earl of Shaftesbury.*)

(NO. 99.) SECOND READING.

Order of the Day for the Second Reading, read.

The Earl of SHAFTESBURY said, that the object of the Bill, which had come up from the Commons, was to amend the 23rd Section of "The Divided Parishes and Poor Law Amendment Act, 1876," so far as related to Friendly and Benefit Societies. The Bill, which consisted of a single clause, proposed to enact that the provisions of that clause should not apply to monies which a pauper, or pauper lunatic, might be entitled to as a member of a Friendly or Benefit Society.

Moved, "That the Bill be now read 2ª."—(*The Earl of Shaftesbury.*)

The Earl of KIMBERLEY said, that the Bill proposed to effect a considerable change in the existing law, of which he had great doubts as to the expediency. Hitherto, when a man came upon the poor rates, the Union authorities were entitled to take possession of any property he might have. The Bill proposed to exempt from that power any monies which the pauper might be entitled to receive as a member of any benefit or friendly society. It was provided, it was true, that the officers of the society should apply those monies to the maintenance of the wife and family of the pauper, if he had one; but if he had not, the Guardians were not entitled to receive the moneys, unless they had specially declared beforehand that the relief given to the pauper was by way of loan. He thought this proposal tended to destroy the spirit of independence and self-reliance, by teaching the working man that he was entitled to relief for himself, independent of the circumstances of his family.

Earl FORTESCUE expressed his concurrence with the noble Earl, in the principle that a pauper was not entitled to relief until any property he might possess was exhausted; and there was no reason why monies in the friendly societies should be exempted more than any other kind of property. He remembered that when he was Secretary to the Poor Law Board, Mr. C. Buller and he passed a clause facilitating the recovery of the cost of relief given to paupers out of property which had subsequently either become or been discovered to be under their control. This Bill went on exactly the opposite principle.

The Duke of RICHMOND and GORDON acknowledged that the provisions of the Bill, as it now stood, were objectionable. The question, however, was one of considerable importance; and, though he was not prepared to say that the Bill should not be read a second time, he thought that the next stage should not be taken until some time had been allowed for consideration.

The Earl of REDESDALE said, he could not see on what principle a man should be maintained by the parish, while his wife and family were to receive the proceeds of any savings he might have effected.

Motion *agreed to*; Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* the 24*th instant.*

THE EASTERN QUESTION—THE CONGRESS — THE ARMENIAN CHRISTIANS.—QUESTION—OBSERVATIONS.

The Earl of SHAFTESBURY: My Lords, in putting to my noble Friend the Secretary of State for Foreign Affairs the Question, of which I have given Notice, I quite admit that the subject is one of great difficulty and delicacy; but, at the same time, I think I can put it in such a manner as to avoid anything that might stir the susceptibilities of any who may be about to take part in the Congress. The Armenians, as represented by the ex-Patriarch of Constantinople and others, complain that, while in the Treaty of San Stefano all the other Christian subjects of Turkey are mentioned separately and in detail, and their position is fully recognized, they themselves are scarcely mentioned, or only mentioned in such a manner, merely by name, as to give them no kind of security that their case will be fully considered whenever the Congress shall assemble. They state that they constitute a nationality worthy of consideration, and that altogether in the world they amount to between 4,000,000 and 5,000,000, of whom about 3,000,000 are inhabitants of the Ottoman Empire, 1,000,000 are under Russian rule, and the rest scattered throughout Persia, Java, Europe, and America. It was true that in the 16th clause of the Treaty of San Stefano, the Armenians were mentioned; but that clause gave very little assurance beyond this, that the Porte would do its best to save them from the ravages of the Kurds and Circassians. Everyone knows that the

Armenian Province of Turkey is one of the finest countries on the face of the earth, and the Armenian Christians are noted for their intelligence and commercial industry throughout the world. All that they at present require is contained in the Question on the Notice Paper—namely, Whether the Secretary of State for Foreign Affairs will undertake, that in the Congress about to be held, the case of the Armenian Christians shall be heard as well as the case of the other Christians under the Government of Turkey? I think that they have addressed a very humble and proper request. They have a right to be protected under the great European Treaty of 1856; and I am sure that the intelligence of my noble Friend the Secretary of State for Foreign Affairs will induce him to consider the question, and that the generosity of his heart will stir him to do all that is consistent with his duty to promote the interest of this great nationality, so long labouring under such grievous oppression and cruelty.

The Marquess of SALISBURY: My Lords, the Armenian Christians, I believe, are mentioned in an Article of the Treaty of San Stefano, in which the Sultan promises to provide such reforms as will relieve the immediate localities, and protect them from their special sufferings—the ravages of the neighbouring hordes of Kurds. The other Christians under the government of Turkey are not, if my recollection serves me rightly, provided for specifically in the Treaty. What is provided for is that institutions shall be given to the Christian Provinces. That is not a distinction without a difference. Where the Christians are exclusively, or a very large majority, of the inhabitants of a particular Province, it is possible to give them special institutions, and to give the Province special institutions also; but where they are mixed with a large proportion of persons of another faith, it is not possible to give them special institutions, without having recourse to that which is undoubtedly an anomaly—namely, the provision of different institutions for the inhabitants of the same locality. That is, undoubtedly, a very considerable difficulty, and certainly it is one which will meet us on the threshhold of the case of Armenia, whenever it may come to be considered; because, though undoubtedly the Armenians are a people of a separate faith, and—though the term cannot be applied with accuracy—they may also be regarded as constituting a separate nationality, yet they are so scattered about, and so mixed with the Turkish population, that either you must provide institutions applicable to Turks, Kurds, and Armenians, alike, or else you must have recourse to the anomalous device I have referred to—of having several different institutions in the same locality. I am pointing out this to show my noble Friend that the case of the Armenians is not quite on all fours with that of other Christians inhabiting other Provinces of Turkey. With respect to my noble Friend's Question, I can only say that it is not my province to indicate what a Congress consisting of the Powers of Europe will think it right to do; but it is, undoubtedly, the fact that the case of the Armenians must, by the Article of the Treaty of San Stefano, to which I have alluded, be brought under the consideration of the Congress. I feel sure that the other European Powers will examine the case of Armenia with great sympathy for all its people, and with a desire that their lot should be ameliorated, and I can assure my noble Friend, with absolute confidence, that these sentiments will animate Her Majesty's Government.

The Earl of CARNARVON: My Lords, I have heard with satisfaction the statement of my noble Friend the Secretary of State for Foreign Affairs; because, though undoubtedly that statement was guarded, I gather from it that the case of the Armenian people will be brought effectively before the Congress, and that, so far as Her Majesty's Government are concerned, whatever should in justice be done for them will be done. And, my Lords, if justice is to be done, there are no Christian subjects of Turkey who deserve more consideration than the Armenians. They are a religion and a nationality distinct in themselves. They are ancient in history; they are a peaceful, industrious, and highly commercial people; and they are second only to the Greeks in intellectual power among the Christian races of the East. They may be said, indeed, to be the equivalent of the Greeks in Asia Minor. Nor have any people suffered a greater amount of oppression than the Armenians. In that, indeed, it may be said they have but shared the common fate of the other Christian races of the East; but I believe that the misfortunes and sufferings of the Armenians have been greater than those of some of the Christian races in Europe, because the power of the Porte was less felt in those distant Provinces, and the public opinion of Europe has been less brought to bear upon their case. I myself, when travelling in those districts, many years ago, was often a witness of the grinding oppression to which the Armenians were subjected. No time, indeed, will ever efface from my recollection the evidence of the ruthless spoliation and savagery to which some of those Christian races, living far away from the sight and protection of the European Powers, were called upon to endure; but if that were the case then, what must be the state of things now, after a long season of anarchy, and when the reins of government over the Mahommedan population are wholly relaxed — when the barbarous Kurdish tribes come down from their mountains without check, carrying fire and sword and depredation over the whole Province? I believe that whatever horrors and cruelties have been perpetrated in European Turkey, they have been perpetrated to at least an equal extent in Asia Minor. That is the first point; but there are two other points to be remembered. First, if, after all this, it should be the destiny of the Armenian people to pass once more under Turkish rule, we must bear in mind that that rule would be relaxed and loosened as the result of present anarchy, and that the Mahommedan population may even be greatly reinforced by fresh accessions from the Turkish Provinces in Europe—a fresh element and cause of disorder and violence. The second is, that Russia at this moment contains, as I think my noble Friend opposite pointed out, not fewer than 1,000,000 Armenians within her districts, and that the condition of these people being greatly superior to that of their fellow-countrymen in Turkey, the contrast will be such that it will tend to keep up that uneasy feeling which it is the object of everyone at this moment, if possible, to allay. My Lords, we are now going into a Congress. I hope that the Congress, in dealing with the case of the Armenians as with that of other nationalities, will not content itself with merely patching up the present grievance; but, if a fair and full attempt is made at a final settlement of this question, the causes of scandal and future strife which exist now may be removed; and then only such means of prosperity may be secured to them, as will make them contentedly acquiesce in the form of government which may be given to them.

EARL GRANVILLE: My Lords, I heard with satisfaction the temperate terms in which my noble Friend behind me (the Earl of Shaftesbury) brought forward the undoubtedly strong case of the Armenians. He has shown what a strong claim the Armenians have on the sympathy of the European Powers on account of their peaceful and commercial habits and their great intelligence; and I am bound to say that, though guarded, the assurance which the noble Marquess the Secretary of State has given of the sympathy of Her Majesty's Government with the Armenian people is extremely satisfactory. My noble Friend did not, and neither do I, expect the noble Marquess to go fully into the question now, when the Congress is just about to meet; I feel the difficulty there is in the way of discussing the matter at the present time. It is clear—and I do not blame them for it—that Her Majesty's Government do not wish to make any statement as to the course they propose to take at the Congress. My noble Friend, who is not now present (Earl Grey), asked, the other evening, whether certain rumours which had appeared in an evening paper as to the agreement between Russia and England were correct; and the noble Marquess, in reply, stated that those rumours were not trustworthy. We do not know, therefore, the exact nature of the agreement or of the policy Her Majesty's Government are about to adopt, and I do not think it would be convenient to put any pressure on the Government as to its terms; consequently, it appears to me it would not be convenient—there may be a difficulty—in discussing any particular point which will have to be considered by the Congress. I am glad, however, that this matter has been brought forward, and that the Question of my noble Friend has, to a certain extent at least, met with a satisfactory response from the Secretary of State for Foreign Affairs.

THE EASTERN QUESTION—THE CONGRESS — THE TREATY OF SAN STEFANO. — QUESTION. — OBSERVATIONS.

Earl DE LA WARR: My Lords, I think it would remove some possible misapprehension with regard to the terms upon which the approaching Congress is about to meet, if the noble Marquess at the head of the Foreign Office does not object to answer the Question which I have placed upon the Notice Paper—

> "Whether Her Majesty's Government consider the words in the invitation to the Congress, 'That in accepting it the Government of Her Britannic Majesty consents to admit the free discussion of the whole of the contents of the Treaty of San Stefano, and that it is ready to participate therein,' equivalent to the stipulation made by the Earl of Derby when Secretary of State for Foreign Affairs—'Her Majesty's Government must distinctly understand before they can enter into Congress that every Article in the Treaty between Russia and Turkey will be placed before the Congress, not necessarily for acceptance, but in order that it may be considered what Articles require acceptance or concurrence by the several Powers and what do not."

By the words of the invitation to the Congress, it would appear that the basis upon which the Powers, including Russia, have arrived at some understanding is, "the free discussion of the whole of the contents of the Treaty of San Stefano." Now, I can hardly regard that as conveying the same limitations or as equivalent to the stipulation so strongly insisted upon by Her Majesty's Government in the communication of the Earl of Derby, then Secretary for Foreign Affairs, on the 21st of March to Count Schouvaloff, and referred to in the despatch of the noble Marquess on the 1st of April. Lord Derby said—

> "Her Majesty's Government must distinctly understand before they can enter into Congress that every Article in the Treaty between Russia and Turkey will be placed before the Congress, not necessarily for acceptance, but in order that it might be considered what articles require acceptance or concurrence by the several Powers and what do not."

Now, there seems to be a considerable difference between going into Congress, in the one case, on the basis of simply discussing the Articles of a Treaty, and in the other, making it a condition, not only that every Article of the Treaty should be placed before the Congress—it is not said for discussion—but in order that it should be considered what Articles required acceptance or concurrence by the Powers and what did not. Discussion was, doubtless, implied in both cases, but the object in the stipulation of Lord Derby went further. The Treaty was to be discussed with a view to consider which Articles required the acceptance or concurrence of the several Powers, who, as I understand, were signatories of the Treaties of 1856 and 1871. In the one case, the validity of the Treaty is virtually admitted; in the other, the acceptance and concurrence of the Powers are assumed to be previously requisite. If the noble Marquess can state that the conditions before entering into a Congress, as laid down by Lord Derby, are to be adhered to, any doubts which have been raised upon the subject will be removed.

The Marquess of SALISBURY: My Lords, I am not sure that I follow my noble Friend correctly, and whether I am able to grasp the idea which he wishes to place before the House; and, therefore, perhaps, my answer may not be satisfactory. I would call my noble Friend's attention to the fact that it is not the terms in which Her Britannic Majesty's Government accepted the invitation to the Congress which constitutes the point for which we are contending, but the terms in which the Russian Government have accepted it. Let my noble Friend substitute for "the Government of Her Britannic Majesty," "the Government of His Majesty the Emperor of Russia," and then the passage will read—

> "That in accepting it the Government of His Majesty the Emperor of Russia consents to admit the free discussion of the whole of the contents of the Treaty of San Stefano, and that it is ready to participate therein."

It appears to me that this is an acceptance of a discussion of the totality of the Treaty; and if there is really any difference between the two formulas, as it is an acceptance of the discussion of the whole Treaty, while the stipulation referred to my noble Friend is one for placing the Treaty before the Congress in order that it may be considered what Articles require acceptance or concurrence, then, the whole being greater than the part, I take it that the admission in the acceptance is larger than that required in the stipulation; but I freely admit that it requires a microscopic eye to discover the difference.

THE EARL OF HARROWBY: I cannot allow this opportunity to pass without expressing my great satisfaction at the prospect which now exists of settling this question. It is not too late to secure the good-will of all the Christian populations of the East, and I am sure that the good wishes of your Lordships, and of the country, will accompany the Government in their endeavours to solve in Congress this great and difficult question, in which endeavours they have had to encounter difficulties exceeding those experienced by any previous Administration. There is everything to expect from a meeting like this, to which the whole of the Governments of Europe send the most eminent of their Ministers; and I trust that the results of the Congress will be to secure to Europe a lasting peace—at least, like the Congress of Vienna, a repose of 30 years. The present and past condition of the Christian Provinces of the Turkish Empire has been a scandal to Christianity; and, looking to the advancement of knowledge which we all possess of the subject, I hope that there will be something nobler shown to the world than a struggle for superiority or the extension of dominion in the East. I hope, too, that the settlement of this question will induce those nations, who are now armed to their uttermost and exhausting all their resources in preparation for war—to the scandal of Christianity and civilization—to abandon this ruinous policy, and turn their attention to internal improvement, which is so much wanted.

TELEGRAPHS BILL [H.L.]

Select Committee on: The Lords following were named of the Committee:

D. Somerset.
E. Stanhope.
E. Belmore.
L. Carlingford.
L. Winmarleigh.

The Committee to meet on *Thursday* the 27*th instant*, at Eleven o'clock; and to appoint their own Chairman: All petitions *referred* to the Committee, with leave to the petitioners praying to be heard by counsel against the Bill to be heard as desired, as also counsel for the Bill.

House adjourned at Six o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Thursday, 6th June, 1878.

MINUTES.]—NEW WRIT ISSUED—*For* Southampton, *v.* The Right hon. Russell Gurney, deceased.

SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES—Class V.—COLONIAL, CONSULAR, AND OTHER FOREIGN SERVICES; Class VI.—SUPERANNUATION AND RETIRED ALLOWANCES, AND GRATUITIES FOR CHARITABLE AND OTHER PURPOSES; Class VII.—MISCELLANEOUS, SPECIAL, AND TEMPORARY OBJECTS—REVENUE DEPARTMENTS.

PRIVATE BILL (*by Order*)—Fraserburgh Harbour, read 3° *.

PUBLIC BILLS — *Ordered* — *First Reading* — Innkeepers * [211].

First Reading—Local Government Provisional Orders (Ireland) Confirmation (Downpatrick, &c.) * [210].

Second Reading — Admiralty and War Office (Retirement of Officers) [169]; Statute Law Revision (Ireland) * [122]; Valuation of Property [94]; Inclosure Provisional Order (Llanfair Waterdine) [190]; Election of Aldermen (Cumulative Vote) [71]; Tramways (Ireland) Acts Amendment * [47].

Committee—Report—Tramways Orders Confirmation (No. 1) (*re-comm.*) [194-207]; Tramways Orders Confirmation (No. 2) (*re-comm.*)* [198]; Tramways Orders Confirmation (No. 3) (*re-comm.*)* [195-208]; General Police and Improvement (Scotland) Act, 1862, Amendment* [148]; Dental Practitioners (*re-comm.*) [177]; Parliamentary and Municipal Registration (Consolidated) (*re-comm.*) [202]; Ancient Monuments* [63-209]; Tenant Right (Ireland) [31].

Third Reading—Conway Bridge (Composition of Debt)* [150], and *passed.*

QUESTIONS.

IRELAND—BLACKWATER BRIDGE, YOUGHAL.—QUESTION.

SIR JOSEPH M'KENNA asked the Chief Secretary for Ireland, Whether the Board of Works in Ireland has as yet secured their Valuator's Report as to the value of the Blackwater Bridge near Youghal, and has taken the requisite preliminary steps for bringing the same into the possession or under the control of the Grand Juries of the counties of Cork and Waterford, with the view to the erection of a new permanent bridge in lieu of the present decayed structure; and, if not, whether he will take steps to expedite the removal of the serious danger which threatens the population who still make use of the bridge?

Mr. J. LOWTHER: Owing to the presentments made at the last Assizes by the Grand Juries of the counties of Waterford and Cork being informal, and I may say illegal, both in form and substance—for which state of affairs, of course, the Government are in no way responsible—the Board of Works have been prevented from carrying out the work of removal and re-construction. Until the Grand Juries concerned make legal presentments, the Government are unable to take any steps; but we are endeavouring to expedite a settlement of the difficulties.

NAVAL COURTS MARTIAL.

QUESTION.

Mr. HOPWOOD asked the First Lord of the Admiralty, If it is the invariable practice of the Admiralty to submit for the perusal and report of the Judge Advocate of the Fleet the Minutes and Sentences of Naval Courts Martial whenever the sentences involve the punishment of penal servitude or imprisonment?

Mr. W. H. SMITH: In answer to the hon. and learned Gentleman, I may say that it has never been the practice to submit the Minutes and sentences of naval courts martial to the Judge Advocate, unless, in the opinion of the Lords of the Admiralty, there should be a doubt as to the legality of the proceedings or the sentences.

NAVY—H.M.S. "EURYDICE."

QUESTION.

Mr. BATES asked the First Lord of the Admiralty, Whether further attempts are still to be made to raise the "Eurydice?"

Mr. W. H. SMITH: Sir, the hon. Member asks if the time has not arrived when the attempt to raise the *Eurydice* should cease? The attempts made hitherto certainly have not been so successful as we could wish, owing in a very great measure to the most unfortunate weather, which has interfered with the operations of those who have been engaged in the effort; and I would say myself that the time has almost arrived when those attempts should cease, if it were not for the strong feeling—which it is impossible not to respect—of a desire to recover the bodies, if possible, of the officers and men who are still in the vessel. The whole question has our very careful consideration, and I am not without the hope that the next effort which will be made may be crowned with success.

THE EASTERN QUESTION—THE BERLIN CONGRESS—CORRESPONDENCE.

QUESTIONS.

Mr. DILLWYN asked Mr. Chancellor of the Exchequer, Whether he will lay upon the Table of the House the Correspondence which has recently passed between Her Majesty's Government and the other European Powers relative to the assembling of the Congress at Berlin?

Mr. W. E. FORSTER: Before the right hon. Gentleman answers that Question, perhaps he will allow me to put one of which I have given him private Notice, and that is, Whether it is the intention of the Government to lay any further Papers on the Table of the House, or make any statement which would give any information to the House and the country as to the policy the Government go into the Congress with?

Mr. HAYTER also asked, Whether the right hon. Gentleman is now able to give to the House the names of the Plenipotentiaries selected to represent the Great Powers at the approaching Congress at Berlin; whether any Power other than England will be represented by its Prime Minister, its Foreign Secretary, and an Ambassador; and whether he can give the House any assurance that questions of the highest importance to this Country will not be finally decided in the Congress, except on the collective responsibility of the whole Cabinet?

The CHANCELLOR of the EXCHEQUER: I may, perhaps, be allowed to answer the Questions of the hon. and gallant Gentleman (Mr. Hayter) first, at least in part. We have not received full information respecting the Plenipotentiaries deputed by the various Powers to attend the Congress. We know that France sends M. Waddington, Foreign Secretary, and Count St. Vallier, Ambassador at Berlin; Italy, Count Corti, Foreign Secretary; Russia, Prince Gortchakoff, Chancellor; Count Schouvaloff, Special Envoy; M. d'Oubril, Ambassador at Berlin; and Turkey, Sadyk Pasha, Minister of Foreign Affairs, and Caratheodory Effendi. Austria and Germany will, of course, be represented by Count Andrassy and Prince Bismarck, who are Chancellors of their respective Empires. We have no information as to those who will be associated with them at present. *The Times* gave a long list of the Austrians yesterday or the day before. With regard to the Question which has been put to me as to the production of Papers, I have to say that it is not now possible to lay any further Papers on the Table; nor do I think there is occasion for any formal statement of the policy of Her Majesty's Government beyond that which is contained in the various Papers which have, from time to time, been presented to Parliament. I would refer especially to the Circular Despatch of my noble Friend (the Marquess of Salisbury), with regard to the Treaty of San Stefano, which Treaty will be the subject for discussion in the Congress. From that Despatch and from the statements which have, from time to time, been made in this House and elsewhere by Her Majesty's Government, its general views may, it seems to me, be sufficiently ascertained. The Plenipotentiaries who will represent England will be furnished with instructions drawn up by the Cabinet. In answer to the hon. and gallant Member for Bath, I may say that, undoubtedly, the questions to be decided in the Congress, so far as this country takes part in them, will be decided on the responsibility of the collective Cabinet. I do not know that I can say anything more, except that it would not be according to precedent, while it would certainly be inconvenient, to lay any further Papers on the Table at the present moment. When, however, the labours of the Congress have been brought to a termination, all the information which can properly be given will be laid before the House.

CONTAGIOUS DISEASES (ANIMALS) BILL.—QUESTION.

SIR GEORGE JENKINSON asked Mr. Chancellor of the Exchequer, Whether, seeing that the Contagious Diseases (Animals) Bill is put on the Paper for Thursday June 20th, it is to be understood that that Bill will stand as the first Order on that day?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he could not name the day when the Bill referred to would be taken as the first Order. Much would depend on the progress of Business. He would, however, give due Notice as to when the Bill would be brought on.

H.M.S. "BEAGLE" — EXECUTION OF A NATIVE OF TANNA — JUDICIAL POWERS OF NAVAL COMMANDERS.

QUESTION.

MR. GORST asked the First Lord of the Admiralty, When the further papers relative to the hanging of a native of Tanna, on board H.M.S. "Beagle," will be laid upon the Table of the House?

MR. W. H. SMITH, in reply, said, that the Secretary to the Admiralty had already laid the Papers on the Table, and that he hoped they would be in print shortly after the House met after Whitsuntide.

STRAITS SETTLEMENTS—THE PERAK EXPEDITION—THE EXPENSES.

QUESTION.

SIR CHARLES W. DILKE asked the Under Secretary of State for India, What is the date of the most recent disbursement made on account of the expenses incurred in the employment of troops, partly dispatched from India, during the operations in Perak in 1875 and the early part of 1876; whether there are still any further payments to be made for those expenses; whether any portion of them have been temporarily defrayed out of the revenues of India; out of what sources such expenses are to be ultimately defrayed; and, whether it is intended to come to Parliament for a money grant to meet the whole or part of those expenses; and, if so, when?

MR. E. STANHOPE: Some disbursements are actually being made at the present time on account of this Expedition for personal allowances to officers and men, and there are still further payments to be made. The claims of the Indian Government against Imperial revenues on account of disbursements in connection with this Expedition amount to something less than £40,000, but this does not represent the whole cost. These claims have not yet been adjusted with the Colonial Office and the War Office. Some portions of the expenses have, I understand, been already charged against Army Votes; and it is at present impossible to say whether any Supplementary Estimate for the Army charges will be necessary.

POST OFFICE MAIL SERVICE — THE PENINSULAR AND ORIENTAL COMPANY.—QUESTION.

MR. ANDERSON: As the Postmaster General is not in his place, perhaps the Secretary to the Treasury will allow me to put to him a Question which has been somewhat mutilated in the printing. It is, Whether he is aware that the great delay in advertising for tenders for the Mail Service to the East, which is at present in the hands of the Peninsular and Oriental Company, and soon to expire, is diminishing the chances of competition, and tending to continue the service in the hands of that Company; if he is aware that the Peninsular and Oriental Company is the chief of some associated Companies who by stringent rules among themselves are endeavouring to establish a monopoly of the carrying trade to India, and therefore not deserving of any special favour; and, whether, in the interests of the public service he will at once advertise for tenders for the Mail Service at present performed by the Peninsular and Oriental Company?

SIR HENRY SELWIN-IBBETSON: In answer to the hon. Member, I have to say that, of course, I am aware that the delays in these matters are of very serious import, and my endeavour has been as much as possible to minimize these delays. It is not within the knowledge of the Post Office that the Peninsular and Oriental Company is connected with any other Companies in the manner to which the hon. Member refers. The question of advertising for tenders has been, as I explained on a recent occasion, delayed in consequence of its being thought necessary to consult the Indian Government in regard to certain points in the new tenders. I telegraphed the other day for the purpose of expediting the answer from India; and I am assured, though I have not seen it, that the answer has arrived at the India Office, and will be at the Treasury to-morrow.

TURKEY — THE BRITISH FLEET IN THE SEA OF MARMORA.—QUESTION.

SIR JOHN HAY asked the First Lord of the Admiralty, Whether it is the intention of the Admiralty to remove the British Fleet under the command of Admiral Hornby from its present anchorage before the season is further advanced?

MR. W. H. SMITH: I am obliged to my right hon. and gallant Friend for mentioning this subject. We are fully conscious of the fact that the Gulf of Ismid is at this season of the year very insalubrious for the Fleet; and the Admiral has received, or is about to receive, orders to seek a better anchorage. Acting on his discretion, he will, in all probability, remove the Fleet to Prince's Islands, in the Sea of Marmora, the anchorage which he selected on his own responsibility some time ago.

ATTEMPTED ASSASSINATION OF THE EMPEROR OF GERMANY.

QUESTION.

MR. W. E. FORSTER: There is still so much anxiety throughout the country with regard to the Emperor of Germany, that I should like to ask Her Majesty's Government, Whether they have received any information to-day which they can communicate to the House in reference to His Majesty's condition?

THE CHANCELLOR OF THE EXCHEQUER: I do not see my hon. Friend the Under Secretary of State for Foreign Affairs in his place, and I do not know whether there is any very recent telegram as to the Emperor's condition; but the latest communication which I saw was satisfactory.

PARLIAMENT — ARRANGEMENT OF PUBLIC BUSINESS.—QUESTION.

MR. W. E. FORSTER: I also wish to ask the right hon. Gentleman a Question with respect to the Business of the House. Hon. Members will be separating to-morrow for the Whitsuntide holidays, and it would be a great convenience if we knew, What Business is intended to be taken on Thursday next week, when we re-assemble, and, if possible, on the following Monday?

THE CHANCELLOR OF THE EXCHEQUER: Something, of course, must depend on the progress which we may make in Supply to-night; but we propose to take Supply again on Thursday next when we re-assemble. We shall not then, however, take the Irish Education Votes. These are proposed to be considered on Monday, June 17th. We also propose, if we have not completed the Classes which are down for Supply to-night, to go on with them at a Morning Sitting to-morrow. The remaining Classes will be taken on Thursday. We are anxious to get the Valuation Bill read a second time; and we hope then to make arrangements for going on with the various Bills which are now in Committee at Morning Sittings on Tuesdays. We are likewise anxious to fix as early a day as possible for the Contagious Diseases (Animals) Bill; but I do not know at present whether it will be possible to take that measure as the first Order on the 20th instant. That will depend on the course of Business; but, if we cannot take the Bill on that date, due Notice will be given as to when it will be considered.

IRELAND—COLLECTION OF RATES (DUBLIN).—QUESTION.

MR. GRAY asked the Chief Secretary for Ireland, Whether any copy of the Report of the Commissioners on the Collection of Rates in Dublin has been furnished to any non-official person having no connection with the Commission, or will be furnished prior to the issue of the Report to Members of the House generally; whether, pending the publication of the Report, any promise of an appointment to the Collector Generalship, in the event of a vacancy in consequence of the Report, has been or will be made; whether, in any such appointment, the views of the representatives of the ratepayers will be consulted?

MR. J. LOWTHER: There is at the present time, as the hon. Gentleman is no doubt aware, considerable disorganization existing among the printing establishments in Dublin, in consequence of which it has been, unfortunately, impossible to obtain copies of the Minutes of Evidence given before the Commission on the Collection of Rates in Dublin, or a sufficient number of copies of the Report to enable them to be as yet laid upon the Table of the House. The hon. Gentleman asks me whether any copy of the Report has been furnished to any non-official person not connected with the Commission? I am not aware that any copy has been so furnished. But, ascertaining that one of the Members for the City of Dublin was himself a Commissioner, and consequently acquainted with the contents of the Report, I felt it only right to take the earliest opportunity of allowing his Colleague in the representation of that City to peruse the only copy which I had in my possession, and which I retain in my own hands. The hon. Member further inquires whether any promise of an appointment to the Collectorship has been or will be made pending the publication of the Report. I have certainly never heard of any promise of an appointment having been made, especially as no vacancy has yet occurred; and I need hardly say that no such promise will be made until a vacancy does occur. He also asks me whether, in any such appointment, the views of the representatives of the ratepayers interested will be consulted? I may remind the House that the appointment is vested in the Lord Lieutenant, who intends to exercise the duty of filling up the appointment on his own responsibility. He will, of course, be glad to receive representations from ratepayers in their individual or collective capacities, and to give due weight to such representations. The responsibility, however, of the appointment rests with the Lord Lieutenant, and he does not intend to ask them to share it with him.

ORDERS OF THE DAY.

* * *

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

CLASS V.—COLONIAL, CONSULAR, AND OTHER FOREIGN SERVICES.

(1.) Motion made, and Question proposed,

> "That a sum, not exceeding £134,520, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Expenses of Her Majesty's Embassies and Missions Abroad."

Mr. RYLANDS: The hon. Member for Shaftesbury (Mr. Benett-Stanford), who has a Notice on the Paper for the reduction of the amount of Colonel Wellesley's salary, is not in his place; and, although I am not prepared to move the reduction myself, I entirely sympathize with the hon. Gentleman in the opinion that the appointment was one which was open to a considerable amount of objection. But what struck me when the matter was before the House on a recent occasion, was that the hon. Gentleman seemed to consider the appointment of Colonel Wellesley was one of an extraordinary character, and contrary to the rules laid down for the guidance of the Diplomatic Service. No one can notice the conduct of the Foreign Office without coming to the conclusion that the appointment of Colonel Wellesley as Secretary to the Embassy was one of a great number of cases showing that the Foreign Office, in the conduct of the Diplomatic Service, was actuated either by personal favouritism or out of consideration for the influence of aristocratic connections. The effect of this is, that at the present moment the Diplomatic Service itself is in a state of great dissatisfaction; it is costing us more than at any previous period, and I think we have very little to show for the very large amount which is paid for that Department of the Foreign Office. We know very well that the late permanent Under Secretary for Foreign Affairs (Lord Hammond) had the management of the Diplomatic Service for many years, and the system which has been carried on at so much expense and dissatisfaction is a system which received from that gentleman a large amount of support. I may safely say that it was proved by the evidence given before the Committee on the Diplomatic Service, that during his *régime* every proposal for the reduction of the expenditure was resisted by the permanent Under Secretary, and every proposal for reform was denounced by him. What is the result? Though this system has led to a large increase in the expenditure, and has, in my judgment, also led considerably to the deterioration of the Diplomatic Service, the gentleman who was the head and front of that system was rewarded with a Peerage and a full pension. When those who resist every kind of reform are rewarded with the very highest honours Her Majesty can give, I am afraid that the great distinction conferred upon the noble Lord, who was formerly Under Secretary for Foreign Affairs, is naturally an inducement to those who are in authority to follow exactly in the same lines; and I believe, at the present time, the Foreign Office rules are laid down on the old and bad precedents which have for so many years been regarded as the rule of that Department. It seems to me that the Foreign Office is an Augean stable, which it is almost impossible to cleanse; and so long as it exists in the present state, it will go on increasing the expenditure. We shall have increasing dissatisfaction amongst the members of the Service, and we shall have very unsatisfactory results from this expenditure. Now, the right hon. Gentleman the Chancellor of the Exchequer justifies Colonel Wellesley's appointment by quoting the Report of the Select Committee of 1871. I had something to do with that Committee. It was appointed at my instance, and I took a very active part on that Committee, and I have no doubt that the right hon. Gentleman had the reason put into his mouth by the Foreign Office why Colonel Wellesley should be retained. It is a very peculiar circumstance; but I think that if anyone looks back at the way in which the Foreign Office have dealt with Reports of Select Committees, he will find that such Reports are melted down by a kind of alchemy, under which all recommendations of a reduction in the expenditure of the Diplomatic Service in the public interest are thrown aside as dross, and where any recommendation is made which would justify the least increased expenditure, that is considered the true metal, and it is put into circulation. As an illustration of this, I may refer to the Select Committee on Official Salaries, appointed in 1850. Colonel Wilson Patten (now Lord Winmarleigh) was the Chairman, and he had associated with him a very distinguished number of Members of this House—Lord John Russell, Sir William Molesworth, Mr. Henley, Mr. Cobden, Mr. Bright, and other gentlemen of great authority. The Committee went into the question of the Diplomatic Service. They made a number of recommendations, which they believed would increase the efficiency of the Service, and at the same time secure economy in the expenditure. I have taken into consideration what the saving would have been providing these recommendations had been carried out, and find that the saving would have been from £30,000 to £40,000, or even, probably, £50,000 per annum, and the country would have saved, during the 28 years which have since elapsed, over £1,000,000. These recommendations were treated with contempt. A Committee, in 1861, made recommendations reducing the expenditure in some directions and increasing it in others. The latter recommendations only were accepted and carried out by the Foreign Office, but the others were not taken up at all. The right hon. Gentleman quoted the authority of the Committee of 1870-1, as a reason why Lord Salisbury is justified in appointing Colonel Wellesley as Secretary to the Embassy at Vienna. The Committee of 1871 recommended that the mere promotion by seniority should be done away with, and that there should be an opportunity for the Secretary of State, in certain cases, to give appointments without reference to seniority and by way of reward for merit. The Secretary of State was to have this authority and to exercise his selection, while paying proper regard to the claims of those in the Service. That is a material point. They recommended that the mere promotion by seniority, which was certainly acting in a most prejudicial manner in the Service, should be done away with as an absolute rule, and that there should be a right of selection by the Secretary of State for the promotion by merit of those in lower grades, so as to introduce energy and efficiency into the Service. Now, before 1871, the promotion in the under grades in the Diplomatic Service was entirely a matter of seniority, and, no doubt, gentlemen might without any special ability attain the very highest position, without paying any special attention to their duties, and without displaying anything but absolute mediocrity. These gentlemen, if they lived long enough, might rely on reaching the very highest positions in the Diplomatic Service. The Committee found that that system of appointing men of inferior quality to the highest posts simply because they lived long enough was a system which was eating up the Service. They found that men with ability left the Service, because they became disheartened in consequence of a number of men of no meritorious quality, but who had that valuable quality of longevity in superabundance, keeping them back. Hon. Gentlemen who were on the Committee knew very well that one of the points inquired into arose from the anxiety to remove the block in the Service for want of more rapid promotion. Now, is it to be supposed for a moment that the Committee who wished to remove the block would have sanctioned such an appointment as that recently made by the Government? The Committee recommended the appointment by the Secretary of State only to be used in exceptional cases where the greatest amount of industry and ability had been displayed. The Committee never contemplated the possibility of such an unexampled and incredible circumstance as bringing in an outsider to fill the place of those who were already in the Service. Such a thing never could have entered into the head of anyone. No doubt the Committee had a very strong opinion, with regard to the heads of Missions, that the Government should exercise great latitude in their appointment. I think there was a strong opinion that the Secretary of State for Foreign Affairs might appoint a gentleman, for instance, who had risen to great distinction as a statesman in connection with the Government of this country who might not have been in the Diplomatic Service at all. Upon that I have a clear opinion; and I think it has been a most unfortunate circumstance that in past years Governments have felt themselves almost restricted to gentlemen who have been trained up to the Diplomatic Service, and who have got their posts by virtue of seniority. It has been unfortunate that the Government of the day have not felt themselves at liberty to appoint an Ambassador at Vienna or Berlin from some distinguished Colleague of their own, who has sat in this House or in the other House, and who has secured not only the confidence of the Party to which he belongs, but also the general respect and confidence of the British public. But this is a very different case, and has reference only to appointments below the rank of Minister. We have a large body of men who have been trained to the duties of the position which Colonel Wellesley has taken. There are two or three Secretaries to each Legation. Some of these gentlemen, I have no doubt, have been striving to make themselves a name in the Service in order to procure promotion; and it was the desire of the Committee in 1871 so to reform the Service, that they should infuse into it a new life and a new hope. They wanted to get promotion for those who merited it. Men of dull mediocrity, given up to trivial amusement, and of light character, were to be discountenanced. The Committee wanted the Service to consist of men who, if efficient, should have a chance of promotion; and the State was not to accept a number of men who, whatever they did, were still to have a claim to promotion, whether their conduct was favourable or otherwise. Without casting any reflection on Colonel Wellesley—although he might be admirably suited to his appointment, for I have not the honour of Colonel Wellesley's acquaintance—I think that Lord Salisbury would not have appointed him unless he had certain qualifications; but what I contend for is this—you have got in your Service— I am afraid to say how many, but, I think, something like 20 or 30 first and second Secretaries; and, including third Secretaries, 40 or 50 gentlemen, who might naturally have looked forward to this prize. I say, unless it is a fact that all the first and second Secretaries of Legations, to whom the appointment at Vienna is a promotion—unless it is a fact that they are thoroughly unsuitable—we are striking a serious blow to the Public Service in bringing in a gentleman from the outside to place him in a coveted position over the head of those gentlemen who have been looking forward to the post. You are disparaging the Public Service. Are we to be told that these gentlemen are not fit for the Service? If that is so, we ought to strike out a number of the first and second Secretaries—and I think our establishments are too large—for it appears to me that the only construction you can put on this appointment is, that there is not one of them fit to take the Secretaryship of the Embassy at Vienna. I, certainly, have no intention to say anything that would be personally disrespectful to Colonel Wellesley; but I cannot help looking to the whole of the circumstances surrounding this appointment. In this House, several years ago, along with the right hon. Member for Tamworth (Sir Robert Peel), I called public attention to the nomination of Colonel Wellesley as Military *Attaché* at St. Petersburg. I felt at that time it was an appointment open to very serious question, and the reason why I felt so was this—that I believe in the reality of public offices. If they are a sham, then you are drawing money from the public under false pretences. What is a Military *Attaché* for? He is to represent this country at the head-quarters of a foreign Government, in order that he may keep the country well-advised as to every step taken by that Government; he is to give information of any movement of a military nature; and, in addition, he is to keep his Government apprised fully and thoroughly of the state of the Army of the country to which he is accredited. Is it desirable to send some young man without experience to the head-quarters of a foreign country, in order to give this information to this country? Our objection to the appointment of Colonel Wellesley as Military *Attaché* was, that he was too young and inexperienced for the post to which he had been appointed, and we urged that there were others who might have been appointed, and who were much more competent for the position. And now we have a repetition of a similar act of patronage in his favour. This gentleman has had great advantages placed in his reach by being appointed to a coveted office, and he has been placed over the heads of a large number of the members of the Diplomatic Service. I cannot help feeling that this appointment would not have been made unless the individual had had some great influence; and this, unfortunately, is not the only matter of the same kind of which we have to complain, in reference to the Foreign Office. You cannot expect for a moment that gentlemen will enter the service of the Foreign Office unless they take with them a certain amount of personal and family influence which would be likely to help them. If the proposal had been made to reduce this Vote, I certainly would have voted with the hon. Gentleman the Member for Shaftesbury (Mr. Benett-Stanford); in fact, if any proposal were made to reduce this Vote, I should be very happy to support it.

I have some hesitation about moving a reduction myself, although I feel that this Vote might be reduced by very much more than the £1,000 which was suggested by the Amendment of the hon. Member for Shaftesbury. I cannot shut my eyes to the fact that just at this moment the House of Commons—or a large majority of the House of Commons—are prepared to support the Government in the extravagance of millions, and that I should have very little chance of saving £5,000 or £10,000. I, therefore, do not intend at the present time to move any reduction; but I protest against the amount of the Vote as extravagant; I protest against the Government ignoring the representations and recommendations of Select Committees in favour of greater economy and better administration; and I protest against the Diplomatic Service of this country being made use of for personal ends and for the purpose of aristocratical promotions.

SIR H. DRUMMOND WOLFF pointed out that in a case of this kind it was difficult for the Foreign Office to defend itself; because the head of the Department could not, from patriotic and prudential reasons, explain the motives which had actuated him in the course he had taken. He, therefore, thought it was the duty of the House to support the Foreign Secretary, when he took a course in virtue of his Office and on his responsibility as a Minister of the Crown. There was the less reason for asking explanations now, at a time when the Foreign Minister was engaged in negotiations more difficult and delicate than any that had engaged the attention of the Government of this country since the beginning of the century. With regard to Colonel Wellesley's appointment, he must say that when he first heard of it he felt a certain amount of annoyance, because the gentleman had been passed over the heads of several members of the Diplomatic Service; but he understood that the appointment was not made in accordance with the ordinary rules of the Diplomatic Service, but in accordance with Rule 18, which was as follows:—

> "The Secretary of State reserves to himself the power to recommend to the Queen to name any person, even though not in the Diplomatic Service, for the higher and more responsible posts in it; and, generally, in regard to all promotions whatever in the Diplomatic Service, the Secretary of State will not be restricted by claims founded on seniority or members of the profession from making any such selection as on his own responsibility he may deem right."

The promotions of Military and Naval *Attachés* and Doctors who, though working side by side with diplomatists in the Diplomatic Service, could not be considered diplomatists alone, came within Rule 17, to which the hon. Member for Burnley (Mr. Rylands) had referred. Rule 18, which he had quoted *in extenso*, would permit appointments which the hon. Member for Burnley said he should like to see made; while, at the same time, it ran counter to the objections raised by the noble Marquess the Leader of the Opposition to the selection of Lords Beaconsfield and Salisbury as the Representatives of England at the coming Congress. He should deprecate the hoisting of Military and Naval *Attachés* into high positions in the Service; but when a military man who was not in the Service had displayed great aptitude and ability in circumstances of great delicacy, he thought the Secretary of State was perfectly justified, under Rule 18, in availing himself of that gentleman's services. According to the hon. Member for Burnley's own showing, there could have been no objection to making Colonel Wellesley an Ambassador; and, in fact, he had been performing almost Ambassadorial functions in the course of his communications with the Emperor of Russia at the head-quarters of his Army. With regard to family and aristocratic influence, he thought it was not, and ought not to be helped. Even in America, where there was no aristocracy, there were official families; and it was found that members of those families were better received at European Courts, and performed their duties better, than other Americans who possessed equal culture and ability in other respects. For instance, other things being equal, who could be better fitted for such an appointment than a son of Lord Russell or Lord Clarendon, who from his childhood had heard diplomatic traditions, and had access to every great diplomatist who visited this country? Yet, no one would object to such an appointment on the score of aristocratic connections or family influence. As far as the case of Colonel Wellesley was concerned, he thought no good would arise from continuing the present discussion; and he would simply say that, except under special circumstances, he hoped the appointment would not be erected into a precedent.

Mr. HAYTER agreed in thinking that this was not a proper time for renewing a discussion on Colonel Wellesley's appointment. He wished, however, to say that there was a question behind, which had not been touched upon. It had been stated by the Secretary of State for War, in answer to a question put to him in that House, that Colonel Wellesley received no military pay, and that he saw no reason to remove his name from the list of Colonels; but it must be remembered that Colonel Wellesley retained his regimental rank in the Coldstream Guards, and that his time was running on for a pension both in the Army and in the Diplomatic Service. He had been removed from the Duke of Cambridge's staff and placed on the list of full Colonels as an *aide-de-camp* to the Queen. He thought this unjust to men who were serving in the Coldstream Guards in the Crimea when Colonel Wellesley was a boy, but over whose heads he was now placed by being created a full Colonel in the Army and an *aide-de-camp* to Her Majesty. He was strongly of opinion that Colonel Wellesley, whether his appointment as Secretary of Embassy at Vienna was justifiable or not, ought now to be called upon to make his election either for the Military or for the Diplomatic Service, and ought not any longer to be allowed to qualify for retiring pensions in both Services, between the advantages of which he might ultimately make his selection.

Mr. BAILLIE COCHRANE said, he could not doubt that the Marquess of Salisbury had acted in the spirit of the recommendations of the Committee of 1871 in making this appointment; and in this particular crisis, under the special circumstances of the case, he thought it perfectly right that such an appointment should be made. He should, however, very much regret if a precedent were created for inflicting pain, or even the semblance of injustice, on such a body of gentlemen as belonged to the Diplomatic Profession. He did not think this would be the case. Several Ministers had been appointed who had never been in the Diplomatic Profession. Sir Henry Bulwer—afterwards Lord Dalling—for instance, was made Secretary of a most important Embassy, though he had never been in the Diplomatic Service; and then there was the case of Mr. Layard, who had only been nominally an *Attaché* to the Embassy at Constantinople, for the purpose of enabling him the better to conduct certain excavations. The appointment of Colonel Wellesley had been well supported by the House; but he hoped advantage would not be taken of it as a precedent to inflict pain or injustice on the members of the Diplomatic Service.

Major O'BEIRNE expressed his regret that this matter was not pressed to a division. There was no greater farce than Special Confidential Reports as to Military *Attachés*, and it was upon the faith of one of these that Colonel Wellesley was appointed. When an officer joined the Army, if he were asked what languages he knew, and if he named a score, no steps would be taken to test his knowledge as to those languages.

Mr. HOPWOOD said, the appointment was considered "a slap in the face" to the Diplomatic Service. He feared that the noble Marquess (the Marquess of Salisbury), in making the appointment, was moved partly by a high opinion of Colonel Wellesley's ability and partly by reasons which he could hardly disregard, but which he might not care to explain. The nation had already thrown open the Military Service of the country to deserving merit; and he hoped that by means of competitive examinations, or some other process, the same thing would be done with the Diplomatic Service also. The Service must not much longer remain simply a source of income for the privileged classes, but must be made what it professed to be—namely, a science, in which the highest ability would attain to the highest rank.

Mr. COBBOLD said, he might tell the hon. and learned Member for Stockport (Mr. Hopwood), who seemed to think that an appointment in the Diplomatic Service was a matter of family connection, that the examination for admission to that Service was not one conducted by the Secretary of State for Foreign Affairs, but by the Civil Service Commissioners. He was not now going to enter into the general subject, except to say that he should be very happy to give the hon. and learned Member, who did not seem to be very well up in it, all the information respecting that Service, which 22 years' "dangling" at Court had enabled him to acquire. He (Mr. Cobbold) quite agreed with the hon. Member for the Isle of Wight (Mr. Baillie Cochrane) that this appointment should not be made a precedent, and he did not believe that anything of the kind was intended. As his hon. Friend the Member for Christchurch (Sir H. Drummond Wolff) had very properly said, the rule which a former Foreign Secretary laid down had simply been made use of on this occasion by the noble Lord at the head of the Foreign Office. The hon. and gallant Gentleman the Member for Bath (Mr. Hayter) seemed to have some fear that this officer would be serving for two pensions at the same time. He could relieve his mind to some extent by informing him that Colonel Wellesley would have to serve for 15 years before he could possibly become entitled to a pension of any sort or kind in the Diplomatic Service. He thought the question of this appointment had been thoroughly sifted the other day; and, therefore, he regretted to see on the Paper a Notice that it was to be again brought before them. He could not, however, allow to pass unnoticed some of the remarks which fell from his hon. Friend the Member for Burnley (Mr. Rylands) in introducing the subject to the Committee. His hon. Friend seemed to think that there was a general discontent prevalent in the Diplomatic Body. He must inform him that he entirely disagreed with him on that point. Of course, there was no body of men who did not talk amongst themselves, and who were not always wanting a little more than what they got; but he could assure the hon. Member that at the time when the Committee, of which he had said he was a Member, sat, he (Mr. Cobbold), and a great many of his Colleagues, were not altogether content with the then hon. Member for Warrington (Mr. Rylands). The hon. Member considered that the Service was a very expensive one. Well, it was, perhaps, a disadvantage that in England it was not known exactly what the nature of that Service was, except actually at head-quarters. The Committee must remember that members of the Diplomatic Service had to reside altogether abroad; that it was upon rare occasions that they could get back to their homes; and that they might be sent on Service to any part of the world. He did not think the present was the proper moment for entering further into this subject; and he trusted that the Committee would see the necessity of passing, without much further comment, the Vote.

MR. E. JENKINS said, that as he did not altogether agree with the criticisms which had been offered by hon. Gentlemen around him on this subject, he might, perhaps, be allowed to say a word or two in regard to it He took it that the Diplomatic Service was a peculiar Service, and one in which the selection of the officers by the Secretary of State for Foreign Affairs was a matter of the greatest importance. Therefore he, for one, should certainly not be prepared to support a proposal that men should be selected for the Diplomatic Service merely by competitive examination. But, on the other hand, the very fact that the responsibility of choice was thrown upon the Government made it all the more necessary, when it appeared that a thing had not been properly done, or that there was any reason to believe that men had been appointed who were not proper men, or that a case of injustice had taken place, that that proceeding should be criticized very severely, and that the Minister should be kept up to the point of responsibility to the country with regard to those appointments. Now, with regard to Colonel Wellesley, he could not help feeling that an injustice had been done to that officer by the criticisms which had been made upon his appointment in that House. It was right that it should be criticized; but, on the other hand, he did not think there was any hon. Member on either side of the House who, having read the papers, and being aware of the services which Colonel Wellesley had discharged to the country —especially in his personal relations with the Russian Government—would not admit that he was perfectly qualified for the post to which he had been appointed. Further, he supposed most of them would be generous enough to admit that if it were possible, without doing injustice to the Diplomatic Service, to give Colonel Wellesley a lift, the

Government would be perfectly justified, in view of his services, in doing so; and, therefore, he hoped that, on both sides of the House, hon. Members would generously abstain from criticizing the appointment from a personal point of view. But there was one thing as to which the criticism of his hon. Friend the Member for Burnley was obviously in point, and it was this—how was it that in the whole of the Diplomatic Service there could be found no man so capable for the post of First Secretary of Embassy at Vienna as a man who had not been in the Diplomatic Service at all? There, certainly, his hon. Friend hit a blot, and a blot which he (Mr. E. Jenkins) dared say the Under Secretary of State for Foreign Affairs would feel to be a real one. They found that, in order to fill this post, it had been considered necessary to take a man who was not in the Service, and put him over the heads of a large number of men who had been in the Service for many years. They were, then, in this dilemma—either an injustice had taken place, or it had not. If an injustice had been done in putting Colonel Wellesley over the heads of abler men, then the Government were to blame for it; but if, on the other hand, no injustice had taken place, then the Diplomatic Service must be in a lamentable condition, and the criticism of his hon. Friend the Member for Burnley must be distinctly to the point. He wished to ask the hon. Gentleman the Under Secretary of State for Foreign Affairs if he could give the Committee any explanation of the reasons why the Diplomatic Service was so defective and so deficient in talent as to render it necessary to import extraneous talent in order to bring it up to the mark?

Mr. W. LOWTHER remarked that the hon. Member for Ipswich (Mr. Cobbold) had stated that it would not be in Colonel Wellesley's power to have a pension until he had served 15 years. He thought the hon. Gentleman was under a mistake in making that statement. If he would look at the regulations of the Service, he would find that if Colonel Wellesley were an Ambassador for a short period, he would be entitled to a pension of a certain amount; or if he were a Minister for another period, he would also be entitled to a pension. In order, however, to obtain a pension as Secretary of Legation, he must have served 15 years; and then he would not be quite sure of getting it, because it sometimes depended upon the caprice of those who were at the Foreign Office. The hon. Member for Christchurch (Sir H. Drummond Wolff) had put forward a theory relative to hereditary talent. He believed that the sons of great Generals might be very good officers, and that the sons of great diplomatists might be very well qualified to become diplomatists. Well, according to that theory, Colonel Wellesley was singularly lucky, for he had not only military but diplomatic talent, the head of the family being the Duke of Wellington, and his own father being Lord Cowley. The hon. Member had also alluded to the discussion which took place the other day; but he would remind him that that discussion was of a very meagre description, and a very short one, though on that occasion two Cabinet Ministers thought it worth while to stand up to defend the nomination. The hon. Member for Christchurch had further said that Military *Attachés*, serving by the side of other *attachés*, performed similar service. He did not think the hon. Member had ever served himself in Legation or Embassy where there was a Military *Attaché*, and he very much doubted whether the hon. Gentleman knew anything about it. When this question was last discussed, the right hon. and gallant Gentleman the Secretary of State for War (Colonel Stanley) quoted Lord Cranbrook, and said——

The CHAIRMAN: The hon. Member will not be in Order in referring in express terms to what passed during the debate in the House on this subject.

Mr. W. LOWTHER would say, then, that they were told that Colonel Wellesley was very well qualified for the post of Military *Attaché*; but they had never yet been told why he was qualified for the post of Diplomatic Secretary of Embassy. Allusion had been made to the appointment of Mr. Layard, who, it was said, had not previously been in the Diplomatic Profession. To a certain extent he had been in the Diplomatic Profession, because he was *attaché* at Constantinople, though for what particular duties he did not know. Then, also, from being Under Secretary of State for Foreign Affairs he was named Minister at Madrid. But nobody ever called in question the right of the Crown to nominate to the higher post of Minister or Ambassador. He should be the last person in the whole of England to object to the Crown nominating whom it pleased to the higher post of Minister or Ambassador. They were told, on a former occasion, that the Marquess of Salisbury immediately fixed upon Colonel Wellesley as a proper person to fill this post. The noble Marquess must be possessed of a remarkable talent; because, he thought, the noble Marquess was only in Office a very short time when he discovered this great military and diplomatic talent in Colonel Wellesley. But he was not now alluding to that officer's talent. He might make the best soldier or the best diplomatist that ever lived; but he maintained that his appointment was a very great hardship upon the gentlemen in that Service over whose heads he had been placed. Not only had the Marquess of Salisbury shown great talent in discovering the qualifications of Colonel Wellesley, but he also had shown wonderful talent in discovering the inability of all the other gentlemen who were in the Profession. It was talent the most remarkable! He did not wish to detain the Committee any longer. The discussion had gone on quite long enough, he dared say; but, as a former member of the Diplomatic Service, he was inclined to think the members of that Profession would consider that the Government had, in this instance, broken faith with them.

Mr. GRANT DUFF said, they had on the present occasion an advantage which they had not before—namely, the presence of the Representative of the Foreign Office in that House, and he trusted that before the discussion closed the hon. Gentleman would answer the following question. Supposing the Government were anxious to confer some mark of approbation upon Colonel Wellesley, why was it necessary to put him into the Diplomatic Service? Why might he not, having been supposed to have done well as Military *Attaché* at St. Petersburg, have been sent in a similar capacity to Vienna with some title of honour, with some personal allowance, or other mark of the favour of the Crown? Why was it necessary to put him into a place like that of first Secretary of Embassy—a place, the duties of which were utterly unlike those which he had been accustomed to exercise—when, in order to do so, it was necessary to pass over, injure the prospects, and hurt the feelings, of a number of the most useful persons in Her Majesty's Service? That was what he wanted to know from his hon. Friend the Under Secretary of State for Foreign Affairs. The hon. Member for Christchurch (Sir H. Drummond Wolff) and the hon. Member for the Isle of Wight (Mr. Baillie Cochrane) had misunderstood, to a great extent, the opposition to this appointment. He (Mr. Grant Duff), and many of those who sat about him, thought that Rule 18 was an excellent one, and that the Secretary of State should act most fully and freely under it; but they also were of opinion that so high a power as was conferred upon the Secretary of State by Rule 18 should only be exercised upon great occasions—upon occasions when the Secretary of State, or his Representative, could come down to that House and state the reasons why that high power had been exercised. It was, to a great extent, because he most ardently desired to see that power retained in the hands of the Secretary of State, that he protested now, as he did on a former occasion, against what appeared to him to be an abuse of that power. He could not help thinking that it had been exercised in this instance, partly, from reasons of a private nature, and not wholly from reasons connected with the Public Service.

Mr. BOURKE said, he would not have thought it necessary or desirable that he should trouble the Committee by any remarks on the question, had it not been that he was unfortunately absent when it was brought before the House on a previous occasion. He should endeavour, as he went on, to answer the various remarks that had been made by hon. Members on both sides of the House. First, as to Colonel Wellesley's knowledge of the Russian language, the hon. and gallant Member for Leitrim (Major O'Beirne) was entirely in error on that subject. The heads of the Foreign Office were well aware of Colonel Wellesley's proficiency in that language, and of the great energy shown by him in acquiring it. It had also been said that Colonel Wellesley was not proficient in the language of the country to which he was now accredited. That was a remark also wholly incorrect, and without any foundation. Colonel Wellesley was a German scholar, and perfectly competent, in that respect, to perform the duties which generally devolved upon the Secretaries of Embassy. The hon. and learned Member for Stockport (Mr. Hopwood) had said that the examinations for admission into the Diplomatic Service were of a very slight character. That subject had been before the House on a previous occasion, and he was under a mistake in that respect. He (Mr. Bourke) did not mean to contend that the examinations were of a severe character; but they were, at all events, sufficiently so to test the proficiency of the gentlemen admitted to perform the duties which would devolve on them in the Service. The hon. and learned Member had indulged in some sarcastic remarks upon no qualifications being necessary for that Service, except family or aristocratic connection. He (Mr. Bourke) did not think that any Representative of the Foreign Office would ever put the qualifications necessary for diplomacy upon such a ground. He knew of no Service which required more intellectual qualifications than did the Diplomatic Service. He must say he was not surprised to hear the remarks which had fallen from his hon. Friend the Member for Westmoreland (Mr. W. Lowther), because he was well aware that his hon. Friend had himself passed through a long and distinguished diplomatic career, and it was very natural that he should be somewhat sceptical as to the expediency of admitting people into the Diplomatic Service, except by the usual method of examination. But he could not help thinking that his hon. Friend, after the habit of many other professional persons, had taken a very limited view of the subject before the House, and that he had rather postponed questions relating to the Public Service to others connected with the Profession of which he was so great an ornament. With respect to the question of pensions, his hon. Friend had, he thought, forgotten that one of the rules was to the effect that no person should be eligible for a pension until he had served 15 years. He did not know that that was a matter of much importance; but, still, the fact was as stated by the hon. Member for Ipswich (Mr. Cobbold). The remarks that had been made by the hon. and gallant Member for Bath (Mr. Hayter) referred to a military matter, and if he chose to raise that question, he would have an opportunity of doing so when the Army Estimates were brought on. He did not think it would be desirable that he should enter upon the question of pensions given to officers in the Army. So far as precedents were concerned, he could only say that there were numerous precedents for the course which had been taken by his noble Friend the Secretary of State in the present instance. It had been said by one or two hon. Members, and insinuated by a great many others, that the appointment of Colonel Wellesley to the post which he now occupied was a slap in the face to the Diplomatic Body. If he thought that was the case, he would not stand up in that House to defend the act of the Secretary of State, because there was no body of public men, he thought, deserved more the sympathy of the House of Commons than those who were employed in that Service. In the first place, they were very badly paid, and, in the next place, they had enormous responsibilities cast upon them. They had to perform duties of the most onerous nature, as well as to support the character of English gentlemen all over the world. There was no body of Diplomatic servants in the world with whom those of England would not favourably compare. But the House was aware that the Rule which had been read by the hon. Member for Christchurch (Sir H. Drummond Wolff) had received the assent of Parliament; and if that Rule were not to be a dead letter, the Secretary of State was perfectly justified in putting it in force whenever he deemed it desirable in the public interest; and, although he did not think it would be well to act on that Rule in very many instances, he was not at all prepared to excuse or apologize for the appointment of Colonel Wellesley, which had been made for no other reason than for the public good. It was well known that that officer had for the last eight or nine years been engaged in performing the duties of Military *Attaché* at the Court of St. Petersburg. The Secretary of State had ample means of satisfying himself as to Colonel Wellesley's capabilities and talent. He did not wish, however, to go further into that part of the subject. The present Secretary of State for Foreign Affairs had previously been the Secretary of

State for India, and he then became acquainted with the career of Colonel Wellesley, and with the duties which that officer had performed, and of which the Committee were, no doubt, well aware, inasmuch as Colonel Wellesley's name appeared in the Blue Books. During the whole of that time, the present Secretary of State for Foreign Affairs, as a Cabinet Minister, had all these matters brought under his notice. All the duties which Colonel Wellesley had performed were essentially of a diplomatic character. Nobody could deny that. Well, the Marquess of Salisbury, seeing the way in which those duties had been performed, thought it would be desirable to take advantage of the rule which had been laid down by Earl Granville, and to strengthen the Diplomatic Service by introducing into it a gentleman who was not in it already, but who had manifested exceptional talents and an appreciation of the duties of the Diplomatic Service. In acting thus, the Marquess of Salisbury did not break down, but followed, a rule of the Service. It had been alleged that great interest was made to obtain the post of Secretary of Legation at Vienna for Colonel Wellesley. It had also been insinuated that night by the hon. and learned Member for Stockport (Mr. Hopwood), that Colonel Wellesley's appointment was entirely owing to his powerful connections. He was happy to relieve the hon. and learned Member's mind on this point, by informing him that the whole of the acquaintance which the Marquess of Salisbury had had up to this moment with Colonel Wellesley was absolutely and entirely an official acquaintance. The noble Marquess had never seen or spoken to Colonel Wellesley, except on official occasions and on official subjects, though he was bound to say that the noble Marquess had had many opportunities of discussing questions of importance. Nay, he would go further, and say that no human being ever asked the noble Marquess to appoint Colonel Wellesley, and that Colonel Wellesley himself made no application whatsoever. Here he must also beg to remind the Committee that not a single person who had attacked this appointment had been able to utter a word against Colonel Wellesley's fitness for the post; and that being the case, he thought the appointment could be justified on public grounds. So far from the Marquess of Salisbury being criticized for having made the appointment, he was of opinion that those hon. Gentlemen who professed to have so great a regard for the Public Service, and who said the interest of the Public Service ought to be placed before all other considerations, could be called upon to justify the course taken by the noble Marquess. Under these circumstances, believing, as he did, that the act of the noble Marquess was an act done in the performance of his public duty, and for the benefit of the public, he thought he could with confidence call upon the Committee to support the act on that ground, and on that ground only.

MR. O'DONNELL said, he did not intend to refer any further to the debate which had been raised concerning the appointment of Colonel Wellesley, but there were some points in this Vote on which he desired explanations. In the first place, he desired to know something as to the principle on which chaplains to Embassies were appointed, and what were the circumstances which necessitated their appointment. It appeared that there were chaplains in Denmark, in Italy, and in Spain. On the other hand, while they had a chaplain in Spain, it had not been found necessary, according to this List, to supply the spiritual wants of their Representative in Portugal. The distinction between Spain and Portugal must surely be a very fine one. Why, again, was it found necessary to supply a chaplain to the Court of Denmark, while at the Court of Sweden their Envoy Extraordinary and Secretary of Legation were left without any spiritual assistance whatever? In Austria they had a chaplain, but none in Bavaria. They had no chaplain either at Paris or Berlin, while, on the other hand, they had chaplains in Greece and Italy. He wanted to know what was the ground of these distinctions? It seemed to him that there was no principle involved in the matter at all, and he fancied that if there was a need for these chaplains, chaplains ought to be granted to all their Embassies in some fair proportion. On the other hand, if there existed no necessity for chaplains in such important centres as the capitals of Germany and France, and in numerous other countries, such as Sweden and Bavaria, he failed to see how there could be any necessity in continuing the chaplains in the places where they were stationed at present. He would also ask for some information as to why part of the expense of their Diplomatic representation in China was borne by the revenues of India? Under the head of "Legation in China," it was stated that the expense was partly repayable from Indian revenues. In his judgment, their Legation and Diplomatic representation in China were as much a matter of Imperial concern as their representation anywhere else in the world, and he objected to saddling the revenues of India with expenses which properly belonged to the general Diplomatic system of the Empire.

Mr. BENETT - STANFORD said, that on a former occasion he made a Motion similar to that which now stood on the Paper in his name. The reason why he wished to withdraw his Motion to-night was not because he had altered his own opinion with regard to the appointment of Colonel Wellesley, but because he did not think it would be right to press it after the very large majority which had been recorded in that House against his former Motion. He wished, therefore, to withdraw the Motion which stood in his name.

Mr. E. JENKINS desired to make a few remarks with reference to their Embassy at Constantinople. There was a physician appointed with a salary of £300 a-year, who was the British Member of the Board of Health. He should like to receive an explanation respecting the duties of that gentleman. Again, there was a note stating that one of the second Secretaries of Legation was in the receipt of £300 a-year as Superintendent of the Student Dragomans at Constantinople. As there was only one Student Dragoman at Constantinople, he wished to know whether it took £300 a-year to superintend him?

Mr. BOURKE explained that there were other Student Dragomans under the Consular Vote. As to the physician, his duties were to attend to the health of the members of the Embassy. The officer of the Board of Health was appointed by the Porte, and had to inquire into many sanitary subjects. Reports from him were sent to the Foreign Office every year, and they found it extremely useful that this Board of Health should exist.

Mr. RYLANDS asked, whether this was a very recent appointment?

Mr. BOURKE replied in the negative.

Mr. RYLANDS pointed out that while this gentleman received only £300 a-year as physician to the Embassy, he draw a salary of £400 a-year as Medical Member of the Board of Health. The latter salary appeared to be a new one altogether. Was it not a sort of appointment which ought to be paid rather by the Government of the Porte than by the British public?

Mr. BOURKE said, the Board had been appointed in conjunction with the other Courts of Europe, it having been thought desirable to have a scientific Board. Since he had been at the Foreign Office, a good deal of correspondence had been carried on with this Board of Health. Its duty was to report upon the state of sanitary affairs, not in Constantinople only, but all over Turkey. The Foreign Office had received from it very valuable Reports on the state of the plague at Bagdad, for example, and they had considered the spread of that disease in conjunction with the other Governments of Europe.

Mr. E. JENKINS observed, that there were no Student Dragomans mentioned in the Estimate under the Consular Vote for Turkey.

Mr. BOURKE, replying to the hon. Member for Dungarvan (Mr. O'Donnell), said, that if additional chaplains were proposed, the hon. Gentleman would most probably object to fresh appointments being made. The present anomaly could only be removed by appointing fresh chaplains, or by removing those who were already appointed. He could not say whether there was any great distinction between the places which had chaplains and those where there were none. It had not been deemed expedient, however, to remove them from the places where they had been already appointed. A pretty clean sweep of the chaplains was made in the Consular Vote some years ago. The present chaplains were doing useful work, and there was no reason for removing them. At the same time, it was not the intention of the Government to appoint chaplains at other places.

Mr. WHITWELL asked for information respecting the item of £700 for

Mr. Baber's special service at Chung King under the Chefoo Convention. Seeing that the amount paid for Diplomatic representation in China was very considerable, it seemed somewhat surprising that an additional sum should be asked for in connection with this Treaty. He should like to know what was the condition of that Treaty at the present time. Perhaps Mr. Baber was to be a permanent *employé*, as the negotiations had been going on so long.

MR. BOURKE said, Mr. Baber's salary was for a "special service," and that was an answer to his hon. Friend. That gentleman had particular functions to perform in regard to the Chefoo Convention, and he was one of the most prominent members of the Commission. He regretted his inability to announce that that Convention had been already ratified. No doubt difficulties had arisen, but the Government hoped they would be got over in a very short time. The Foreign Office was quite as anxious as his hon. Friend could be that the Chefoo Convention should be carried into effect. He hoped it would be the means of doing a great deal of good.

MR. O'DONNELL said, the answer of the hon. Gentleman on the subject of the chaplains had been very unsatisfactory. The point of his objection was, that if a chaplain was not wanted in Sweden, for instance, one could not be wanted in Denmark; and that they could very well do without chaplains in Spain, if they were not necessary amid the temptations of Paris and the agitations of Berlin. He intended to move to reduce the Vote for salaries by the aggregate amount of the salaries of the chaplains. It was quite clear that if chaplains were not required in the important centres he had just mentioned, they could not be wanted where they were stationed at present; and if custom were to prevail, it ought to have preserved the Consular chaplaincies which were abolished some years ago. He only moved this reduction as a protest, and he hoped the Government would take into consideration the propriety of not replacing the present incumbents. The hon. Gentleman the Under Secretary of State for Foreign Affairs had not referred at all to the objection he raised to the Diplomatic representation in China being partly paid for out of Indian revenues. He considered that the Diplomatic representation in China was distinctly Imperial, and that it ought to be treated on exactly the same footing as the representation in Siam, in Portugal, or anywhere else. He objected to the revenues of India being subject to any charge which did not relate to Indian internal affairs or Indian policy. He observed that some of the third secretaries received £250 a-year each, while others received only £150. The explanation was that those who received the higher salary did so in consequence of their knowledge of public law. He would suggest that a knowledge of public law ought to be incumbent on every person in the position of third secretary in the Diplomatic Service. If third secretaries did not possess any knowledge of public law, he fancied they ought not to be appointed until they had qualified themselves for the post. In conclusion, he moved to reduce the item of £157,610 for salaries by £1,250, being the aggregate amount paid to the few chaplains who were still so exceptionally retained.

Motion made, and Question proposed, "That the Item for Salaries be reduced by the sum of £1,250."—(*Mr. O'Donnell.*)

MR. SAMPSON LLOYD said, he wished to make one observation in reply to a remark of the hon. Member for Dungarvan (Mr. O'Donnell) as to the reason for chaplains being required in certain cities and not in others. He would draw his attention to the fact that in some places there was more than one English church; but in others there was no English place of worship, except that kept up by the Government chaplain. Without, therefore, the services of the paid chaplains, travellers, as well as persons in residence, would be without a place for public worship.

MR. PARNELL observed, that that might be a reason for the original appointment of these chaplains, but it was no reason for retaining them. What his hon. Friend the Member for Dungarvan wished to know was, whether the Under Secretary of State for Foreign Affairs proposed making any alteration in these matters? It seemed that there were four places where translators were kept at the Embassies. One of these places was in Russia; he imagined there must be an exceptional difficulty, and that the capacity of Her Majesty's officials was insufficient to enable them to master the Russian language. He should have thought that some of the officials of the Foreign Office might have learned Russian, Spanish, and other languages. Russian was a language which he thought all diplomatists ought to know, though it was, no doubt, one that was difficult to acquire.

Question put, and *negatived.*

Original Question put, and *agreed to.*

(2.) £166,053, to complete the sum for Consular Services.

Mr. MUNTZ wished to draw attention to one point. He thought that Vice Consuls were not required in certain towns where there was already a Consul. They were now kept up in some small places; whereas, in others of nearly 100,000 inhabitants, a Consul only was found sufficient. In former times a Vice Consul was wanted because it took from five to eight months, on the death of a Consul, to communicate with this country and appoint a new one; and, in the meantime, the Vice Consul could act. But now, by means of the telegraph and steam vessels, a new Consul could be appointed and despatched almost immediately; and he saw no reason why Vice Consuls, as well as Consuls, should be retained in small places.

Sir EARDLEY WILMOT said, that on that Vote he would take the opportunity of calling the attention of the Committee to a matter which had at his instance come under the notice of the House two years ago. It would, perhaps, be recollected that he had presented a Petition, very numerously signed, from the British residents at Boulogne-sur-Mer, which, on being submitted to the Speaker, could not be received, as mingled with the British signatures were those of many of the principal French inhabitants of the town, who cordially joined in the prayer of the Petition. The document was subsequently referred to a Select Committee for the consideration of precedents, of which Committee his right hon. Friend the Member for the University of Cambridge (Mr. Spencer Walpole) was chairman, and he himself (Sir Eardley Wilmot) was a Member. The Committee was unanimously of opinion that the Petition could not be entertained; and the subject-matter of it had therefore not undergone discussion until the time at which he spoke. The facts of the case were these. For many years Boulogne had been represented by a Consul; but when the late Mr. Hamilton resigned, and received the honour of knighthood after his long and useful Consular services, the Consulate was abolished, and the office was reduced to a Vice Consulate, with a smaller salary. Unfortunately, at the very time when the Government took this step, Boulogne had been, and was then, making rapid strides in trade and commercial importance, inasmuch that the exports and imports now exceeded those of Bordeaux, and Boulogne had become the third commercial seaport in France, after Havre de Grace and Marseilles. A very large and capacious dock had been lately constructed, called the Quai Napoleon, and this was now filled with trading vessels from every part of the world. Other countries—as, for example, Germany, Italy, Belgium, and Holland — were represented in Boulogne by Consuls, while England thought her dignity sufficiently maintained by a Vice Consul. That official had various duties to perform; in cases of wreck upon the coast he had frequently to travel many miles to the scene of the disaster, and to find money for the sailors, and he was constantly being referred to for the purpose of settling disputes in commercial matters, between his own countrymen and foreigners. In addition to this, the Consul at Boulogne had always been expected to dispense hospitalities occasionally to the municipality of the town; but with the small salary now doled out to the English Vice Consul, it was quite impossible he could do what was done by the Consuls of other nations. He (Sir Eardley Wilmot) could not help using what might be considered a strong expression, but which was justified by the circumstances of the case—that the conduct of the Government had been very shabby in the way they had treated this important French town; and he appealed to his hon. Friend the Under Secretary of State for Foreign Affairs (Mr. Bourke) to re-consider the matter, and remedy what he must say was felt by all the inhabitants of Boulogne to be a great injustice to the British official and a disparagement to their town and nation.

MR. RYLANDS said, it was a most extraordinary doctrine to lay down, that they were to pay salaries out of proportion to the duties performed by Consuls, merely out of consideration for the dignity of France. He hoped that respect for the dignity of France would not be shown in such a manner. With regard to the Consular Service, he thought it was a service in which we did not compare favourably with the service of other mercantile nations, and we had a great many appointments which might be reduced, and many might be abolished entirely; and it would be competent for some mercantile house to take the Vice Consulate where there was little business to be done in the interests of Great Britain. In the case of Boulogne, he believed that the Foreign Office acted upon the suggestion made by the Consular Committee. That Committee recommended the abolition of a great number of Consulates in France and other places, where the position was out of all proportion to the business carried on and the interest this country had in the trade. If the House would look to page 363, they would find that the Vice Consul at Boulogne received £250 a-year, and an allowance of £150 for a house, making £400 a-year, while the total amount of fees received by Government amounted to only £105. When the hon. and learned Member told the House of the great amount of business done at Boulogne, he should have looked at the small amount of fees, for that very fairly represented the amount of business done. It surely did not furnish a reason for Government going back from a change so recently made in the service. He thought they were perfectly well served by a Vice Consul, and if the office became vacant, the Government would have no difficulty in filling it up without any increase of salary.

MR. BAILLIE COCHRANE observed, that the Committee had certainly recommended the reduction of various Consulates to Vice Consulates. But it was important that in many places, and particularly in the East, able men, with competent salaries, should be appointed to discharge Consular duties. In Phillippopolis, for instance, there was only a Vice Consul at £250 a-year, and yet, that was one of the places where it was most desirable that the interests of this country should be well represented. It should not be forgotten that the position of a Consul in the East was one of much more importance than elsewhere. In his opinion, it would be desirable that the first opportunity should be taken by the Government of going through the Consular Service, and seeing if they could not reasonably increase the salaries of the Consuls, so as to get good men and have the work properly performed. In particular, it was necessary that the Foreign Office should see that the Consuls and Vice Consuls in the East were properly paid, and properly represented English interests.

MR. DODSON said, that some years ago there used to be a considerable number of Consuls in different parts of Europe, and in some places in North America, who were kept at inland places. He was glad to see that an alteration had been made, and that the offices had been partially abolished, although they had not entirely disappeared. There were one or two remaining to which he wished to draw the attention of the Government. He was not speaking of inland towns in such countries as Turkey, where, under certain circumstances, it was necessary that British subjects should have the protection of a resident from their own country. He was speaking of civilized countries in Europe and America; and in those places he apprehended that the position of Consul was only required at seaport towns where vessels came. He observed that there were still Consuls at Brussels and at Paris; the Consul at Paris being paid £100 a-year. What necessity there was for a Consul at Paris, where there was an Embassy, he could not see; and he could not think that this gentleman had much to do, because he noted that he also held the appointments of librarian and registrar at the Embassy. At Brussels there was a Vice Consul, who received £100 a-year; but why he was required at Brussels was not apparent. If travellers wished for information, they could apply to the Embassy. What reason there could be for keeping Vice Consuls at some inland places, and not at others, he could not tell.

SIR EARDLEY WILMOT, in reply to the hon. Member for Burnley (Mr. Rylands), said, his hon. Friend had made a great flourish of trumpets about the taxpayer, and about the small receipts from Boulogue, and had referred him to the Estimates. Well, in looking at the Estimates, he found a similar charge, even on a much larger scale, might be made against French ports which were now represented by a Consul, and where the salary of the official who represented England was very much higher. He (Sir Eardley Wilmot) instanced Brest, Cherbourg, Havre, Bordeaux, and Marseilles (giving the figures), at all of which places the annual receipts were comparatively insignificant, in one even less than the receipts at Boulogne. The fact was, that the receipts were no criterion whatever of the work done, for they represented balances after all the necessary expenses and outlay and money advanced by the Consuls had been deducted. His hon. Friend, therefore, could build no just arguments on the figures he had quoted.

Mr. WHITWELL hoped that the salaries of Consuls would not be increased where the work was now efficiently done. So far from places in the East having been neglected, the salaries of the Consuls and Vice Consuls there had already been increased. Although there was only one Vice Consul at Philippopolis there was another at Beyrout, not far off. The hon. Member for the Isle of Wight (Mr. Baillie Cochrane) was mistaken in supposing that the Foreign Office had neglected its duties and had not obtained efficient men at the salaries paid. Let them take the cases of the Student Dragomans, for which there was an item in the Vote of £1,900. It was well known that great advantage had been derived from the student interpreters in China; and as the item for the Student Dragomans was in the Vote, the Committee would be glad to hear whether the students now being instructed were English, Armenians, Greeks or others; and also what language, whether Arabic or Turkish, they were learning, and whether it was contemplated to place these dragomans, when thoroughly instructed, in some of the larger places in Asiatic Turkey?

Mr. D. JENKINS said, that everybody felt that it was time that the Consular establishments in Turkey in Europe should be inquired into. It was monstrous to see the number of officials kept up there; and it was not wonderful that mischief should be done when so many people were employed. £700 a-year was paid to the physician of the Embassy, and in addition to that there was the hospital establishment. It was worth while to consider whether the superintendent of the hospital could not be utilized for the purpose of attending the Embassy, and thus save £400 or £500 a-year to the country. He also wished to call attention to the Consul at Réunion. He knew that he was originally appointed to look after the coolies; but as his services were no longer required for that purpose, he should like to know whether the Government would continue the office?

Mr. BOURKE said, with regard to the observations that had been made as to the Student Dragomans, the late Secretary of State for Foreign Affairs (the Earl of Derby) had announced his intention to institute such a class of interpreters. An examination had been held for the appointments, and certain gentlemen had been chosen, some of whom had already gone to Constantinople. The other dragomans, to whom reference had been made, were mentioned in a former Vote, and stood on quite a different footing to the new ones. With respect to the office of resident physician at Constantinople, he might inform the Committee that the post had already been abolished, and would not appear in the Estimates for the ensuing year. With regard to the general observations that had been offered on the Vote, he might say that the Government would make all the reductions they possibly could in the Consular Service. There was no reason for laying down general rules as to the appointment of Consuls or Vice Consuls at particular places; but the Government would deal with each case on its peculiar circumstances. With regard to the observation of the hon. Member for Birmingham (Mr. Muntz) as to the Consul and Vice Consul in South America, no doubt these Consuls cost money; at the same time he could not hold out any hope of reducing this cost, because while the commercial classes of this country derived great advantage from the Consular Services in South America, and so long as they did not object, it would be necessary to maintain these posts.

MR. WHITWELL asked whether the Student Dragomans were Englishmen or natives?

MR. BOURKE imagined that they were Englishmen. He had not received any information to the contrary.

MR. O'DONNELL would ask the attention of the Committee to the item for Borneo. The Consul at Borneo received a salary of £300 a-year, and £250 for a house. He was also Governor of Labuan. On looking to the amount of fees received on behalf of the Government in 1876-7, he found that the Consul in that place received no fees whatever. Therefore, he received £300 a-year salary and £250 for a probably non-existent house, and he got a further salary as Governor of Labuan, where he probably had a house also. If he was not mistaken, the Consul at New Caledonia got £700 a-year, and if the Government could give some information about the duties of that gentleman, and those of the Consul at Borneo, he should feel obliged. With regard to the Consul at Réunion, who had £1,000 a-year salary and office expenses, he had received recently an account written by a French traveller, who gave a deplorable account of the condition of the native subjects in that place. He should feel obliged if he could be directed to the recent Report of the Consul at Réunion on the coolie emigration in that settlement. He would also particularly ask to know something about the Consul Generalship at Borneo. He believed there was an intention to extend operations in that direction, because considerable portions of Borneo had been granted by the legislative rulers to a British trading company. He did not know whether that trading company was likely to lapse into secession to the Crown.

MR. BOURKE said, that the Company referred to had no official connection with the Government, and the Government had no official information as to what the Company was. With regard to the Consul General, he had the same duties as were performed by Consuls in other parts of the world. He had to look after persons who came to trade in Borneo, of whom there was a considerable number. It was desirable that the Governor of Labuan should also be Consul of Borneo in order to save expense. With regard to New Caledonia, the Government did receive valuable Reports from that place on various subjects connected with the Island. The Consul of New Caledonia was appointed a few years ago when the cession of Fiji was made. He was glad the hon. Member had called attention to the subject, and he could assure him that if they had any opportunity of cancelling an appointment that should be done.

Vote *agreed to.*

(3.) Motion made, and Question proposed,

> "That a sum, not exceeding £31,634, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, in aid of Colonial Local Revenue, and for the Salaries and Allowances of Governors, &c., and for other Expenses in certain Colonies."

MR. O'DONNELL said, that on that Vote he desired to raise a question of an important character having especial reference to the salaries of the Commissioners in South Africa. The Governor had £2,000 a-year as salary from the Colonial authorities, and had £1,500 derived from pension under the Crown. It seemed to him that the Government ought to have brought that question forward in a substantial form that would have enabled them to review the proceedings in South Africa for some time past; and he thought the Members of that House had a legitimate grievance against the Government for bringing on this Vote somewhat out of the way and without Notice. Had the Vote been brought on in regular order, instead of being taken as a Vote in Class III., after Votes in Classes I. and IV., the Committee would have been able to discuss the matter and might have been able to clear up some of the causes of the revolt, and information might have been given that would be interesting to the Committee on the affairs of South Africa, the crisis through which that country was passing, and whether our Governors had employed the best means for diminishing the area of the disturbance. Before they came to that, he would ask two general questions with regard to the grant in aid of the local revenue of the Falkland Islands? He would also ask what was the nature of the grant of £1,400 for clergy in Canada, and Nova Scotia, and North America? Canada and Nova Scotia were self-governed, and arrangements were made for the payment of their clergy. Why, then, should that House be asked to contribute to Missionary Societies, and to societies for the propagation of the Gospel? Certainly, it appeared to him that this was a matter that required explanation. With regard to the Falkland Islands, he found the grant in aid of local revenue amounted to £2,974. If he was not mistaken, the whole population of the Falkland Islands was only about 800 or 900, and he wanted to know why they required this grant in aid of local revenue?

Sir MICHAEL HICKS - BEACH said, that with regard to the Vote for the clergy in North America, these were life pensions to persons who had been in the service of the Government, he believed, as old Army chaplains for duties done years ago. The Vote was gradually, year by year, becoming less and less. In 1876 the Vote amounted to £1,976. The hon. Member would see that a considerably lower sum was asked in the present year. Parliament had made these grants for good reason; but, in due time, they would cease altogether. The Vote for the Falkland Islands was, no doubt, considerable; but, if they looked at the character of the Falkland Islands, it would be seen that it was important to this country to maintain them as naval harbours between Australia, America, and England. Therefore, as the population was small, and the revenue could not be large, it was necessary to supplement the local revenue by a further sum. It was thought probable that in future years the grant would be considerably diminished. Sheep-farming was extending in the Island; the duties on tobacco and spirits had been raised; and it was quite expected that the House would be asked for a smaller Vote next year.

Mr. O'DONNELL hoped that on the item relating to South Africa, the Government would not object to a brief discussion. If he had had Notice of the Vote, he should probably have brought on a Resolution on the Question that the Speaker do leave the Chair; but, on the present occasion, he could not go into the matter with anything like the fulness that he should have done under other circumstances. Still, he might state some of his reasons for objecting to this item. In the first instance, it appeared that the Chief Governor of South Africa and of Griqualand West, was exceedingly well remunerated with nearly £6,000 per annum from the Colonial Revenues, in addition to a personal allowance of £1,500 a-year as a distinguished pensioner of the Indian Government. That would be £7,500; and he did not see why there should be a grant of £2,000 given to him when the Colonists had already provided a munificent grant for their Governor-in-Chief. Besides that, he had to object to the manner, as far as he had been able to observe, in which Her Majesty's High Commissioner for South Africa had discharged the functions for which it was proposed to remunerate him. He believed he was not exaggerating the case when he said that Sir Bartle Frere hardly adopted a policy suitable for South Africa. He was practically sent to South Africa to carry out the Federation scheme of Her Majesty's Government, and to press that by all legitimate means upon the Colony and the Colonial body of the Legislature, and he thought it would not be denied that when this small revolution broke out in Griqualand, the course Sir Bartle Frere distinctly took to promote the area of the disturbances which they had to deplore at the present moment was injudicious. When the revolt broke out in Griqualand, Sir Bartle Frere issued an Ordinance for general confiscation in the hope of entirely suppressing the revolt. One consequence in Griqualand was, that the refugees from the consficated land flowed over the border into lands communicating with their own. Sir Bartle Frere seemed to have taken no means to restrict the military commanders in the measures they took to carry out this policy of confiscation. It would be admitted that one of the main weapons used by Sir Bartle Frere against the insurgent tribes consisted of the absolute destruction of and the razing to the ground of habitations all throughout the country. It was not the burning of a hut here or a hut there, not the isolated destruction of only one place or another place, according to the necessities of warfare, but all over the country arose the flames from burning huts. The Kaffir villages were systematically burnt down. When no one remained in the village but the women and children, they were driven out of their huts with all the barbarities that savage tribes were wont to use towards their hereditary enemies, so that the non-combatant element of the Kaffir population suffered even more than the combatant Kaffirs. There might be a certain amount of justification for this course of conduct if it had been crowned with success. They found that Sir Bartle Frere pursued in the burning down of these Kaffir villages a course similar to that pursued in Ireland in the 16th century under Elizabeth, and later in the 17th century by Cromwell. Sir Bartle Frere made the country a waste. The necessary results of these operations was the death from starvation of a large portion of the Native women and children. The camps were often crowded by poor refugee women, whose stock had been driven off by the Forces carrying out the policy of Sir Bartle Frere. He would refer to the policy of Sir Bartle Frere in carrying off the stock and cattle immediately; but he must repeat that to such an extent were the camps of the Colonial Forces crowded by starving women and children that an order was issued expelling these poor starving people from the British camp. That spoke volumes for the result of the operations carried out by Sir Bartle Frere. With regard to stock lifting or cattle lifting, in every page almost of the Blue Book they found an account of a brush with the Kaffirs—so many Kaffirs killed, so many hundred of cattle carried off, so many sheep, a whole country cleared of cattle, and villages burned down in various places. In all this there was proof of the unchecked ardour of the troops, not so much the Regular troops, as of the unchecked ardour of our auxiliaries, which was such that the seizures of cattle were so great that the lands over the frontier were black with them. There was one case in particular which struck him. An attack was made on Kaffirs who were passing through the frontier to friendly territory. The frontier was black with the masses of cattle, and very naively was this described in the despatch in the Blue Book, when it was said that the Kaffir cattle were not easily distinguishable from the others. In the Colonial papers it was admitted that the seizure of stock belonging to friendly tribes was a mistake. He was afraid that no check was put upon the Forces operating against the Kaffirs. It might readily be assumed that all the black men were enemies, and in thus following them up, the tribes were punished that gave them refuge. In that way those tribes were driven in immense numbers to the other tribes to take part in the revolt against us. At the present moment it was not merely a revolt. Who could say to what extent it might reach? Such was the unquestionable and unquestioned authority exercised by the chiefs, that the defection of a chief necessarily involved the defection of his tribesmen. Her Majesty's Government, therefore, ought to have proceeded with the greatest care and consideration in making war upon men who went to war against us with a blind belief and loyalty which to them was a religion. The policy of Sir Bartle Frere had not been of that character; but he was sorry to say there had been too little discrimination of that kind exhibited. At a trial not long ago at King Williamstown, out of some 60 prisoners of war—rebels, if they pleased; but, after all, the tie of loyalty which could bind these men to our rule ought not to be scrutinized too exactly, and he, therefore, thought he was justified in speaking of what were called "the rebel prisoners" as to all intents and purposes prisoners of war—he found that out of some 50 or 60 of these prisoners brought up at King Williamstown, more than 40 of them were sentenced to periods of penal servitude ranging as high as eight years, and going down to two and three years, and that very few indeed were released. He was of opinion that it was unfair to apply to these persons the laws of sedition and treason, and that it was unpolitic to treat the Kaffir prisoners of war captured in the battle-field as persons liable to be tried, and tried with all the formalities of the Penal Code, and sentenced to penal servitude for merely obeying the commands of their chiefs—commands which were all the more welcome to them because their animosity to our rule and their sympathy with the tribes already in revolt had been fomented by the sweeping measures of confiscation and conflagration adopted by Sir Bartle Frere. In mentioning Sir Bartle Frere he had no desire for a moment to raise the slightest question as to the personal humanity of that gentleman; but many men of high personal humanity became, through circumstances, types of the greatest tyrants the world had ever witnessed. There was another question to which he desired to call the attention of the Committee, and he approached it not only with reluctance, but with a certain amount of disbelief. He had not observed, in any despatch, that the Kaffir prisoners of war, or the Kaffir wounded, left on the field, were receiving any attention whatever. Again, if they were to impress the Native tribes—untutored barbarians—with respect not only for our power but our civilization, he thought they would do that better by treating them according to the dictates of our higher civilization, rather than by descending to their level, and meting out to them the savage rules of savage warfare. With regard to even untried prisoners of war, he was afraid that the policy of the Government in South Africa had not been such as to diminish the feeling of intense animosity which had already spread so widely among the Native populations against our rule. He assured the Committee that he was compressing his observations within the smallest possible compass, even at the risk of doing considerable injury to his cause by omitting essential facts; but he was afraid there was so much impatience at the discussion of questions of this character, that he felt bound to have a certain regard to that feeling. With regard to the question of punishment of prisoners of war under the sedition and treason-felony laws, he found from *The Cape Argus* of the 4th April that at King Williamstown five prisoners were sentenced to eight years' hard labour, 40 prisoners were sentenced to seven years' hard labour, one to six years, five to five years, one to three years; so that there were some 50 prisoners captured in the battle-field and tried as rebels by such a refinement of legal process as sentenced Nuncomar long ago to death on the gibbet when it was found inconvenient to apply the strict letter of the English law in order to get rid of an opponent to the Governor General of India. He thought the precedent of the execution of Nuncomar by the strict British law ought not to be repeated at this date, in the 19th century, and that Kaffir prisoners of war ought not to be tried as mere rebels, and ought not to be punished by penal servitude. With regard to the treatment of these prisoners of war, he found there was a perfectly unanimous expression of horror among the leading and rival journals in South Africa. *The Cape Argus* spoke of the untried prisoners of war in the following terms:—

> "The story of the Black Hole in Calcutta is being repeated in King Williamstown in the Cape Colony. We had heard of these horrors before, but could not believe things were so bad as they are represented in a telegram published in Tuesday's *Standard and Mail.* It appears that 262 persons are confined in an iron building 102 feet long by 12 wide. The height is not given, and therefore we cannot get at the cubic space allowed to each prisoner, but the square measurement is only about 4½ feet for each person. It is impossible for these creatures to lie down, and, to add to their misery, they are half starved. Thus, with foul air, insufficient food, and limited space, they are subjected to tortures equal to those of the Inquisition. A number of the prisoners are mere boys, from 11 to 18 years old, and one is a little fellow only six. Yet this is a Christian country, and there are a number of clergymen in King Williamstown. Be it remembered also that the persons tortured in this brutal fashion are awaiting trial—but they are only niggers."

Then the editor of *The Cape Mercury*, having his attention attracted to the matter by the horrible reports which had gone forth, actually visited the prisons, and he says—

> "He found 262 adult Kaffirs cooped up and crammed together within the walls of three little iron sheds. Each of these sheds he found to be 34 feet long, 12 feet broad, and about 10 feet in height. In each of these low and narrow sheds about 90 men were huddled together. They were never allowed to go out for a single moment on any occasion whatever, or at any time, by night or day. For the 700 cubic feet of air which are necessary for the healthy condition of a human being, each of these wretched prisoners, in a climate of sweltering heat, had but 46 cubic feet—15 men had to live on one man's proper allowance of air. The gaolers asserted that each prisoner got a pound of porridge twice a-day; but the visitors ascertained that on the previous day, a Sunday, only one meal had been given, and while they were actually on the spot, about 2 P.M. on Monday—the prisoners not having broken their fast for 24 hours—two dishes or tubs of porridge, containing some 40 lbs.—that is, less than half a pound for each of the famished creatures—were laid on the floor of the shed, and the gaolers who brought them in immediately disappeared and locked the door. The agonized prisoners, knowing well they would get no more food until next day, begged the gaolers to apportion their scanty supply amongst them, but their piteous appeal was heard with silent scorn, and the consequence must have been either that the stronger prisoners robbed the weaker ones of their food, or that the porridge was measured out in full shares as far as it went, and that most of the starving crowd had

not a mouthful given them to allay the gnawing pangs of ravenous hunger. As with food, so it was with water; a couple of buckets were handed in, and those who were able helped themselves, leaving those who were not to feel the horrors of parching thirst as well as of suffocation and of famine."

These were statements made by the most respectable authorities—men interested in suppressing the Kaffir outbreak; men of property and capital, men who had a stake in the country; but who, nevertheless, felt that that severity and heartlessness were not the best means of recommending the British rule to untutored barbarians. Evidence of that kind deserved, he thought, the very serious attention of the Government. The right hon. Baronet (Sir Michael Hicks-Beach) had before now rebuked him, with what the right hon. Gentleman, no doubt, considered a just severity, for bringing these questions before the House; but he (Mr. O'Donnell) thought that much more harm would be done to the Government, to the fame of the right hon. Baronet's administration of the Colonies, and to the future of our rule in South Africa, if there were to be a strict silence observed with regard to matters of this kind, than even if an Irish Member occupied a short space of time in Committee by bringing such cases under the notice of Her Majesty's Government. It was quite clear that if they summed up now the acknowledged points in Sir Bartle Frere's policy — of course, he must be made responsible for that which was done under his authority while in possession of his present trust—if they summed up those acknowledged points, they came to a total of severity applied to the tribes in South Africa which could not have been materially exceeded by the most severe measures of repression used recently in the East of Europe. They had confiscated the tribe lands and burnt down the Native villages wholesale. They had seen helpless women and children driven in flocks into the British camps for want of food; and although British humanity, in the first instance, relieved them, still the necessities of warfare compelled them to drive those women and children out into the devastated open. They had not only suspected, but convicted every tribe through which the refugee Galekas forced their way and confiscated their cattle. One after another they had driven the Native tribes into insurrection. They had brought up prisoners of war to be tried before English Courts who never knew anything of English process and knew nothing of the English language—men who had been accustomed to revere the ordinances of their Chiefs as something semi-divine. They had sentenced them to terms of penal servitude of six or eight years—terms as severe as could be meted out to ungrateful Irishmen, insensible to the charms of the form of administration adopted by Her Majesty's Government in Ireland. They had seen the Native prisoners before trial cooped up without food, air, or water, without the slightest regard for the most ordinary decencies of life; and he asked whether the occurrence of such things, or the reports of the happening of such things spreading abroad through tribe after tribe of the Native population, were not calculated not only singularly to diminish the credit of British Christianity, but singularly also to diminish the confidence of the Native tribes in the justice and humanity and the civilization of our rule? He could not but feel that Sir Bartle Frere was the official who was directly responsible for the doing of these things. He did not like to use the word "atrocities," or to say anything unnecessarily severe; but he laid the facts before the Committee as they were; and he ventured to think that the Committee might very easily employ its time much worse than by placing on record some expression of opinion against our policy in South Africa, which had not only been so severe, but whose severity had been so inefficacious. In conclusion, he moved to omit from the item under the head of South Africa, the sum of £2,000, payable to Her Majesty's High Commissioner in South Africa.

THE CHAIRMAN wished to point out to the hon. Member that a certain portion of the Vote had been already taken on account. It would be better, therefore, to propose to reduce the Vote by a certain sum.

MR. O'DONNELL said, he would propose then to reduce the Vote by the sum of £1,200 or £1,300.

Motion made, and Question proposed,

"That the Item of £2,000, for the Salary of Her Majesty's High Commissioner for South Africa, be reduced by the sum of £1,200."—(*Mr. O'Donnell.*)

SIR MICHAEL HICKS-BEACH: There is no item in the whole of this Vote in regard to which I less expected a reduction to be moved than this item of £2,000 for the salary of Sir Bartle Frere. The total amount of his salary may appear to be considerable, considering the payments made by the Cape Colony towards it; but I venture to say that no money is better spent; for during the past year, among all our Governors of Colonies not one has been placed in so difficult a position, and has performed the duties of his position with greater ability and greater humanity, than Sir Bartle Frere. The hon. Member for Dungarvan has alluded to a previous occasion when he brought this subject under the notice of the House. I am bound to say that I had not the least expectation that he would take the opportunity of a Vote of this kind to enter into a discussion of the whole policy of Sir Bartle Frere in reference to the Cape. I do not propose to follow him now into the discussion of that policy. But he took exception to the view I expressed—that it is not fair or right that such statements as he then made should be made, without proof of the accuracy of the charges preferred. The hon. Member has made charges again to-night without, as far as I know, any shadow of truth. He has spoken of the absolute destruction of every habitation in the Native country in which the war has been waged. No doubt, habitations have been destroyed in the course of these operations. Native habitations and other habitations must necessarily be destroyed in war; but that there has been anything like the indiscriminate destruction of which he spoke I absolutely deny. He spoke further of ill-treatment of Native women and children; but he did not bring any proof whatever of his assertions. No doubt, Native women may have suffered from hunger. But what have they done? They have come continually to the camps of the European or Colonial or Native Forces, and they have received provisions at their hands. I do not believe that any war was ever waged in which the women and children of an enemy were treated with greater humanity than they have been treated with on this occasion by all engaged in the war. In fact, the women of the rebellious Natives crowded into our camps to such an extent that, as the hon. Member said, it was found by General Sir Arthur Cunningham absolutely necessary to prohibit their admission. It was found that the women were sent in by the men of the tribes in order to act as spies on the movement of our troops; or, in some cases, to convey to the men in arms against our Forces the provisions given to them for their own relief. Under these circumstances it is hardly to be wondered at that, in his own defence, the General commanding our Forces deemed it necessary to put a stop to such proceedings. But I may add that when I noticed, now some weeks ago, a paragraph in a London newspaper referring to the issue of this order, I wrote to Sir Bartle Frere to request information on the subject, and to ask if he could state to me under what circumstances that order had been issued, I have received from him a despatch in reply, stating fully the circumstances which I have just briefly recapitulated to the Committee, which will shortly be laid on the Table of the House. The hon. Member has read at great length paragraphs from Cape newspapers with reference to the treatment of prisoners of war. I had no Notice that it was his intention to make these statements. Had I known it, I would have referred to Sir Bartle Frere's despatches to see if any mention was made of the statements in these paragraphs. But I cannot have any doubt whatever that as these statements were made in the Colony, Sir Bartle Frere made it his first business to inquire into them, and that he either found them inaccurate, or if accurate that he has taken measures to prevent their recurrence. The hon. Member objects to the trial of the prisoners of war with all the formalities of English law. Would he desire that they should be tried by a drum-head court martial? If there is one thing in regard to which Sir Bartle Frere has taken more pains than another during the course of the war, it is to insure that prisoners taken in arms should have a fair and legal trial. It certainly does not appear to me to be a very severe punishment for prisoners taken in arms against the Government of the country to be sentenced to various terms of imprisonment in expiation of that offence. I do not think there is any other point to which the hon. Member alluded which demands a reply from me, except one, and that is a complaint that large herds of cattle have been captured by our Forces in the war. Almost as soon as I assumed my present Office I took the opportunity, when writing to Sir Bartle Frere, to call his particular attention to this point which I had no doubt had not escaped him; and to impress upon him, what I am sure he will take every pains to secure—namely, that no operation should be undertaken merely for the capture of cattle, but that cattle should only be captured when, as often happens in the Native wars, it is necessary to do so in order to secure the only wealth of the Native tribes, and thus really in the cause of humanity to put as soon as possible an end to the war. I think I have now dealt with all the points to which the hon. Member has called attention. I will not, therefore, weary the Committee by further dilating on the subject; but I shall be prepared to discuss it at a future time whenever it may be raised.

Mr. PARNELL hoped the right hon. Gentleman would give some opportunity for discussing the subject. It would be recollected that when he (Mr. Parnell) asked a Question early in the Session, with reference to the war now going on in South Africa, and requested that the Government would afford an opportunity for the discussion of the subject, the right hon. Gentleman said he did not intend to afford any special opportunity, but that such opportunity would be afforded when the Vote came on for consideration. Now it appeared to him, whether another opportunity was to be afforded or not, that this was really the only time when a discussion could be raised in a practical way. The only legitimate occasion for a discussion on the question of policy of the Administration of the Government in relation to South Africa, and more especially in regard to the acts of the Governor who was charged with carrying out that policy, was upon the Vote for the expenses incurred in connection with South Africa. Upon what occasion, he asked, could they more properly do so? He had always heard it said that it was one of the most valuable privileges of the English Constitution, that an opportunity should be afforded when money was being voted for raising a discussion as to the propriety of the expenditure. The right hon. Gentleman said this was not a proper time for raising the discussion. He differed entirely from the view of the right hon. Gentleman, and thought there could not be a more favourable opportunity. He did not think the horrible matters which had been referred to by his hon. Friend the Member for Dungarvan should be passed over in silence; but he was of opinion that the shameful deeds now being done in the name of English power and English authority in South Africa, should receive the direct condemnation of the House of Commons. He thought great credit was due to his hon. Friend for not having entered into the arrangement which the right hon. Gentleman desired him to make. And if no one but the Irish Members ventured to raise this question, some little good would be done by telling Her Majesty's Government how they regarded the course which was being pursued in South Africa. His hon. Friend the Member for Dungarvan had described, in all its horrors, the way in which that war was being carried on; and all he (Mr. Parnell) could say was that the general policy of the Government in South Africa seemed to have been carried out by our agents in an atrocious and savage manner. What was the policy of the Government with regard to the Colonists? It gave them extensive military power, and so incited them to assume an overbearing attitude to the tribes with whom they were brought into contact. ["Order, order!"]

The CHAIRMAN said, he must point out to the hon. Member that the observations of the hon. Member for Dungarvan were pertinent to the matter under discussion, in so far as they called in question the conduct of the present Governor; but the hon. Member would not be in Order in entering into a general review of the policy of the Home Government.

Mr. PARNELL said, he had assumed that the Governor of South Africa was carrying out the policy of the Home Government, and he failed to see how he could criticize the acts of that Governor if he did not describe the policy he was carrying out. He would not further enter, however, upon the point, though he submitted that he was within his right in alluding to the manner in which Sir Bartle Frere was carrying out the directions of the Home Government, assuming, as he did, that those directions had been given. He had no wish to do anything more than that. The cause of this war was a very simple one. The lands of these tribes of Kaffirs were confiscated and given to the Fingoes, a less warlike tribe, who were unable to keep what they had so obtained. If that had been all, so much mischief would not have been done. But the Kaffirs were driven back into territories in which they found it almost impossible to subsist, they attacked the Fingoes, the Colonists came to the aid of the Fingoes, and Her Majesty's Government sent out troops to the assistance of the Colonists, and so the matter went on until England had on hand this little war, which had now become a large one, and would have, no one could tell, what end. He submitted that this was a most pernicious policy, and that the Governors of the Cape Colony, and especially Sir Bartle Frere, would do far better if they encouraged a policy of conciliation in dealings between the Colonists and the Kaffirs, and tried to smooth over difficulties instead of pressing these Natives unjustly and confiscating their land. If such a policy were followed, they would very soon have a far different feeling shown at Cape Colony to that which now prevailed there. He did not wish to go into that point at any length, because it involved the general policy of the Home Government in dealing with the Colonists; but he did think it was a great mistake that people who were not able to defend themselves, like these Colonists, should be so much encouraged by the Home Government in their measures against their Kaffir neighbours. His hon. Friend (Mr. O'Donnell) did not grumble because some of the Natives were tried by ordinary Courts and not by drum-head court martial. At the same time, to judge by the precedents of the last Kaffir war, they would have got off much better if they had been so tried. In 1850 or 1852, instead of trying the Hottentots by the ordinary laws of the land for sedition, and sentencing, on conviction, to long periods of penal servitude, they were then tried by drum-head court martial, and sentenced to the nominal punishment of one year with hard labour. Consequently, judging by precedent, if the Kaffirs had been tried by drum-head court martial, they would have come off a great deal better than they had done when submitted to the jurisdiction of the ordinary Courts. But the point which he especially rose to urge was, that it was an anomaly to try men by laws which they did not understand, and which really could have no application to the merits of the case. The Kaffirs were tried for sedition, which they all knew very well was an offence by one inhabitant of a country against the other inhabitants of it. Now, could the Kaffirs be called inhabitants of the Cape Colony in the sense in which the word was ordinarily used. It was an absurdity to try Kaffirs by laws and Courts meant for a very much higher state of civilization. It must be manifest that the conduct of the authorities, if not unjustifiable, was certainly absurd. As to the statement of the right hon. Baronet, that the Native women were sent into the English camp by thousands to act as spies——[Sir MICHAEL HICKS-BEACH: I did not say so.] He (Mr. Parnell) understood the right hon. Baronet to say they were sent in by thousands. He afterwards said they acted as spies, and as no limitation was placed on the number, he concluded the right hon. Baronet to mean that they were all sent in as spies. But if, on the contrary, only a few acted as spies, was that any justification for turning these thousands of women and children into the wilderness to starve, who, by the right hon. Baronet's own statement, had come into the camp because they had been deprived by the British Forces of all means of subsistence. Their cattle were their only wealth, and when these were driven off by the British Forces, they were forced to go by thousands to the English camp. Yet, in face of the knowledge that in the wilderness they had no means of subsistence, they were driven out there to starve. His hon. Friend (Mr. O'Donnell) had very truly likened the proceedings of the English Forces in Cape Colony to the proceedings of the English Forces in Ireland in the time of Elizabeth. Then, it was also the policy of the Government to deprive the people of their means of subsistence, and they died of starvation by millions. There, in Cape Colony, the same principle was carried out. The country was deliberately devastated, the means of subsistence was deliberately removed, and when the women and children came starving into the camp, they were deliberately, and as a matter of policy, turned out again to die.

MR. O'DONNELL said, the right hon. Baronet had declared that his statements were not confirmed. In reply to his challenge he would show they were. He spoke of the remarkable tendency shown by the Forces to confound the property of the revolutionary and non-revolutionary Forces. On the 9th of November, 1877, Captain Elliot wrote that the hills and valleys were black with cattle, and that it would be idle to suppose that they all belonged to the peaceful Natives. The captured stock, he observed also, was divided on very unfair principles among the auxiliary forces. Again, as to the perils that non-combatants ran, he found Robert T. Rorke, of the Native Contingent, reporting on November 13, 1877, that on his way a number of Native women rushed out from among the bushes and fled. "Luckily I had my Fingoes sufficiently well in hand to prevent any firing." He opened the pages at random, but this gave an indication of the utterly destitute condition of these women huddling under bushes, liable to be startled and shot at by our Native auxiliaries. It was quite clear that such measures must be the reverse of consolatory to the Kaffirs. He would only quote one more instance of the sort of war that this had been. Charles B. Griffith, commanding the Colonial Forces, who had since received the Cross of St. Michael and St. George from the hands of Sir Bartle Frere, wrote, on November 29, 1877, that a tribe had been sufficiently punished; for they had been driven from their country, had lost 700 men, and had lost besides upwards of 13,000 head of cattle, besides horses, sheep, and goats, of which very large numbers fell into his hands. He noticed this because it was evident that a policy of extreme severity had been introduced into Africa, and had not succeeded in stamping out the insurrection; but, on the contrary, had extended its area. This same Commander Griffith in the same letter spoke of burning Native villages and huts as signals to the Forces moving in co-operation with him, and of their burning villages also in response. If he had time he could give the right hon. Baronet abundant evidence that he did not exaggerate one word when he said that the villages were burnt down, so that they might no longer give cover to the population, who consisted, in the majority of cases, of women and children, the men having taken refuge in the bush. He maintained that this was a terrible war, and that it would have been far better to have tried a little kindness. As to the punishment of prisoners of war, he made no objection to the men being tried by ordinary legal process; but he did object to the savage penalties for ordinary sedition being enforced against Kaffir prisoners knowing little of our authority, and owing little to our rule. Fifty or 100 years hence, that might be done; but at present these Kaffirs were independent tribes, and every maxim of policy, as well as of humanity, should suggest some other treatment than trying them as ordinary culprits, and sending them to penal servitude for six or eight years. The English policy was severe, and it had been a failure, and no reference to the humane disposition and the private character of Sir Bartle Frere would be any justification for letting the Vote pass without a protest. He had no doubt he was an admirably disposed man, but he was responsible for his subordinates; and as he (Mr. O'Donnell) could not get at his subordinates, he must direct his speech against his policy.

SIR HENRY HAVELOCK said, he did not desire to enter upon the very large and broad question of the policy of the Government in South Africa at the present time; but he did rise to say a word or two in defence of one of the most estimable and praiseworthy public servants this country possessed, who was not there to speak on behalf of himself, and against whom charges had been brought without any such intimation having been given as would have enabled the Government to vindicate his policy and the conduct he was pursuing. He had had the honour of the personal acquaintance of Sir Bartle Frere for very many years; he had watched his career in many distinguished positions with satisfaction, from the time when he was serving as an officer under the Indian Government until he received his present appointment as Governor of a Colony; and in the name of those who sat on his own side of the

House, and in order that it might not be supposed that they sympathized with these charges, he protested against the manner in which these attacks, to which no proper answer could be given, had been made. If it were intended that his conduct should be impugned, he maintained that the more honourable course of proceeding would have been to have given Notice, and then he had no doubt Her Majesty's Government could have met these charges *seriatim*, and explained them one after another. If there were one man more than another among our public servants distinguished for peculiar and characteristic humanity, for especial talent in dealing with and conciliating these Native races, and for the peculiar consideration always evinced for those who came under his rule, it was Sir Bartle Frere. There was, indeed, no man against whom charges of this kind could be brought with less justification. Only a few years ago, it would be in the recollection of the Committee, that Sir Bartle Frere was employed in carrying through one of the greatest and most successful works of humanity ever attempted—that of putting an end to the slave trade of Zanzibar. He entered upon that work with all his heart, for the work suited his character, and he was successful. He had had some experience of Colonial wars—perhaps more than the two hon. Members who had just spoken. In New Zealand he had served under circumstances somewhat similar to those now existing at the Cape, and he knew then that there was not a single point as to the conduct of that war which could not have been explained and justified in the fullest detail on investigation. He trusted that Her Majesty's Government would be able to give even a more elaborate defence than had now been given to a public servant, who had been assailed at a time when there were no opportunities for vindicating his character.

Mr. O'DONNELL said, if the hon. and gallant Member had been present during the whole of the debate, he would have heard his explanation. He could not give Notice of his objection, because the Votes were taken in such an erratic way that they did not know 24 hours beforehand which particular Votes were coming on. As to the general character of the policy of the Government, he objected to that a long while ago. Lastly, he might remind the hon. and gallant Member that his defence of the personal character of Sir Bartle Frere was entirely beside the question. He was the chief; he was responsible for his subordinates—for such men as Griffith and Allen, and all the others engaged—and it was absurd trifling to bring up a question of his private character. It was absurd to try and cover these cruelties behind the excellent and humane character of Sir Bartle Frere. He admitted that he was all his most intimate friends declared him to be, and yet that did not free him from responsibility for the acts of his subordinates. Indeed, he carefully guarded himself against making a personal attack on Sir Bartle Frere, and would speak as highly of his private character as any hon. Gentleman or right hon. Gentleman. But here they had a great responsible official; a war against Natives conducted with a severity unsurpassed in any other country; in spite of that severity, the war was increasing; and, even though an insignificant Irish Member, he contended he was entitled to call attention to the facts of the case.

Question put, and *negatived.*

Original Question put, and *agreed to.*

(4.) £2,129, to complete the sum for the Orange River Territory and St. Helena (Non-Effective Charges).

(5.) £1,220, to complete the sum for the Suez Canal (British Directors).

(6.) £5,742, to complete the sum for the Suppression of the Slave Trade.

Mr. O'DONNELL asked, why a moiety of this should be charged on the Indian Revenue, when it was an extra-Indian expense?

Sir HENRY SELWIN-IBBETSON said, before 1871 it was all charged to India; but in that year the then Secretary of State for India (the Duke of Argyll) examined into the matter, and the result was that since that time one-half had been paid by the Imperial Government.

Vote *agreed to.*

(7.) £10,547, to complete the sum for the Tonnage Bounties, &c., and Liberated African Department.

CLASS VI.—SUPERANNUATION AND RETIRED ALLOWANCES, AND GRATUITIES FOR CHARITABLE AND OTHER PURPOSES.

(8.) £221,961, to complete the sum for Superannuations and Retired Allowances.

SIR CHARLES W. DILKE said, it was not his intention to say anything with regard to the old classes of superannuation allowances; but, with regard to the new ones, there were two or three questions he should like to put. He found that, on page 447 of the Votes, there was an item in favour of the Rev. E. P. Arnold, and he wished to ask whether the person to whom that was payable was not dead; and, if so, whether he had not died before the beginning of the financial year, in which case the Vote ought not to be granted? Then, again, on page 478, there was a charge for Mr. W. Doria, Secretary to the Embassy at St. Petersburg, and the amount of the retiring allowance bore, in his (Sir Charles W. Dilke's) opinion, an undue proportion to the amount of salary. Mr. Doria, it seemed, had only had 12 years' service; he had been in receipt of a salary of £1,050; and his retiring allowance was £700 a-year. This, in the absence of explanation, also seemed an unduly large sum. The Committee ought to require some explanation of the very large amount of these pensions in proportion to the salaries. Then, on page 480, there was an item for Mr. L. Moore, who, after 15 years' service as second Secretary at Constantinople, retired at the age of 44 with a pension of £500 a-year, which was the full amount of his salary. This, likewise, was a matter that required explanation.

SIR HENRY SELWIN-IBBETSON regretted that he was not able to give an immediate answer to his hon. Friend the Member for Chelsea on the two points he had just brought forward with regard to the new service, as the Under Secretary of State was not in the House. With regard to Mr. E. P. Arnold, he was informed that that gentleman was dead; and, of course, the amount would only be paid proportionately up to the date of his death, any surplus going back to the Exchequer.

SIR CHARLES W. DILKE wished to know, whether Mr. Arnold had not died before the beginning of the financial year?

SIR HENRY SELWIN-IBBETSON said, he believed the death did not occur before the preparation of the Estimates.

SIR CHARLES W. DILKE asked, whether the information he had inquired for as to Mr. Doria and Mr. Moore would be furnished on the Report of Supply?

SIR HENRY SELWIN-IBBETSON promised to furnish the information on the Report.

MR. O'DONNELL said, he had some remarks to make on the same Vote, and he trusted they would not lose weight in consequence of the advocate who made them. He wished to refer to the case of Mr. J. H. Richardson, Librarian at Queen's College, who, at the age of 46, had been compelled to retire, after 20 years' service, on an allowance of only £50 a-year, his salary as Librarian having been £150 a-year. Mr. Richardson's health had broken down, and he had become almost completely blind. However much the students and graduates of Queen's College might differ from him on other points, they would, he was sure, agree with him in this—that it was the unanimous feeling in the College, and among all who had anything to do with Mr. Richardson in his capacity of Librarian, that it was not right that that unfortunate gentleman, who was in a wretched state of health and afflicted with almost total blindness, should be sent away from his recent sphere of duty with the inadequate provision of £50 a-year. He believed it would not be in Order to suggest any increase in the Estimates; but he hoped it would be possible for the right hon. Gentleman the Chief Secretary for Ireland, when he had looked into the case, and found that a scholarly gentleman and assiduous public servant, who had always borne the most admirable character, and whose sedentary employment and close confinement had gone a long way towards ruining his sight, was being so greatly overlooked, to take the matter into consideration and apply a remedy. If this were done, it would gratify many persons in Ireland of the most opposite shades of political opinion, and who had no further sympathy with Mr. Richardson, except as to the admirable way in which he had performed his duties, and in regard, also, to the wretched state in which he had been placed.

Sir HENRY SELWIN-IBBETSON said, his attention should be given to the matter brought forward by the hon. Member for Dungarvan (Mr. O'Donnell). No one could sympathize more than he (Sir Henry Selwin-Ibbetson) with the misfortunes of those who by some infirmity of body were stopped in the middle of a useful career. All he could at present say was, that he believed the case referred to bore the proportion according to which such superannuations or pensions were regulated; but, at the same time, he was aware that in many of these cases there were circumstances which might warrant further consideration. He would certainly look into the case. He regretted that the hon. Baronet (Sir Charles W. Dilke) who had brought forward the cases of Mr. Moore and Mr. Doria, was not present, as he had since ascertained that both those gentlemen were, under the Act of Parliament by which their retiring allowances were regulated, entitled to what was designated a fourth-class pension, which carried with it £700 a-year; the only limitation being that the £700 a-year was not to be in excess of the actual salary received by the person retiring. Mr. Doria retired on a pension of £700 a-year, his salary having been £1,050; but Mr. Moore, who had retired through illness, and who had been in receipt of £500 a-year, had his pension limited to the salary he had received; otherwise, he might have had the same pension as Mr. Doria.

Vote *agreed to.*

(9.) £15,650, to complete the sum for the Merchant Seamen's Fund, Pensions, &c.

(10.) £22,400, to complete the sum for the Relief of Distressed British Seamen Abroad.

(11.) £380,000, for Pauper Lunatics, England.

Mr. BRISTOWE asked the reason for the increase of the Vote from £340,000 last year?

Sir HENRY SELWIN-IBBETSON said, the increase arose from the increase in the number of cases. It was, unfortunately, found that the demands upon the asylums throughout the country were growing far too rapidly; but, of course, the patients must be duly provided for.

Vote *agreed to.*

(12.) £68,000, for Pauper Lunatics, Scotland.

(13.) £20,900, to complete the sum for Pauper Lunatics, Ireland.

(14). £13,387, to complete the sum for Hospitals and Infirmaries, Ireland.

(15.) £127,617, for Savings Banks and Friendly Societies Deficiency.

(16.) Motion made, and Question proposed,

"That a sum, not exceeding £3,144, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for certain Miscellaneous Charitable and other Allowances in Great Britain."

Mr. O'DONNELL objected to an item of £500 for the Clarges Annuity, and moved its omission from the Vote.

Motion made, and Question proposed,

"That the Item of £500, for the Clarges Annuity, be omitted from the proposed Vote."—(*Mr. O'Donnell.*)

Sir HENRY SELWIN-IBBETSON explained, that this had been a charge upon the coal duties of the Port of London, and on the repeal of those duties, it was found that the Customs Department had lost sight of the annuity, and failed to provide for it. The Law Officers of the Crown at the time advised that the Government were liable for the amount; and, as there was no particular Vote to which it could be charged, it was necessary to propose it in the present form.

Question put.

The Committee *divided*:—Ayes 12; Noes 58: Majority 46.—(Div. List, No. 168.)

Original Question put, and *agreed to.*

(17.) £3,097, to complete the sum for Miscellaneous, Charitable, and other Allowances, Ireland.

Class VII.—Miscellaneous, Special, and Temporary Objects.

(18.) £16,579, to complete the sum for Temporary Commissions.

(19.) £7,152, to complete the sum for Miscellaneous Expenses.

REVENUE DEPARTMENTS.

(20.) £735,698, to complete the sum for the Customs.

(21.) £1,359,270, to complete the sum for the Inland Revenue.

(22.) £2,484,915, to complete the sum for the Post Office.

(23.) £580,045, to complete the sum for the Post Office Packet Service.

(24.) £743,372, to complete the sum for the Post Office Telegraphs.

MR. PARNELL asked, whether any further expenditure would be required in connection with this Department, for acquiring works for which the original Estimate was supposed to provide, an Estimate which had already been exceeded by about five or six times its amount? In many cases, as he understood the matter, the Government, after having thought they had purchased the whole of the lines, found they had only acquired a right to the lease of them, and had afterwards to buy the fee simple.

SIR HENRY SELWIN-IBBETSON explained that the sum now asked was for working expenses simply. Several of the outstanding accounts between Her Majesty's Government and the former Telegraph Companies, to which the hon. Member for Meath had referred, had been settled in the course of the last year; and he believed that only a few remained to be arranged, but he could not give any particulars.

Vote *agreed to.*

Resolutions to be reported *To-morrow,* at Two of the clock;

Committee to sit again *To-morrow,* at Two of the clock.

ADMIRALTY AND WAR OFFICE (RETIREMENT OF OFFICERS) BILL.

(*Sir Henry Selwin-Ibbetson, Colonel Stanley, Mr. William Henry Smith.*)

[BILL 169.] SECOND READING.

Order for Second Reading read.

SIR HENRY SELWIN-IBBETSON, in moving that the Bill be now read a second time, said, many changes had been made in the Admiralty Office and in the War Office—amalgamations of offices to a considerable extent had been made, and the result as years went on was that the number of officers in those Departments was in excess of the requirements of the country. In the interests of the Public Service, therefore, it had been suggested that a reduction of the number of officers would produce very good results. The efficiency of the officers would be promoted, and officers not so highly paid would be introduced whose powers would be more in accordance with the mechanical work to be performed. For that purpose, it had been found desirable to introduce the present Bill to provide for the retirement of the present officers.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Henry Selwin-Ibbetson.*)

SIR CHARLES W. DILKE asked, on what previous occasions a similar course had been taken for increasing the facilities for retirement?

MR. W. H. SMITH said, that a special Bill had been introduced because the circumstances were most unusual. Under the Superannuation Act, the custom was to allow gentlemen to choose their own time to retire; but, in a large re-organization, that custom was injurious both to the Service and to individuals.

MR. DODSON inquired, as to the amount of reduction to be affected under the proposed scheme?

SIR HENRY SELWIN-IBBETSON said, the evidence before the Treasury went to show that the reduction in both the Departments concerned would be a distinct saving to the Exchequer.

SIR UGHTRED KAY-SHUTTLEWORTH said, he did not think the right hon. Gentleman the First Lord of the Admiralty had exactly answered the Question raised by his hon. Friend (Sir Charles W. Dilke)—namely, why exceptional facilities were to be given for retirement in the present instance?

THE CHANCELLOR OF THE EXCHEQUER said, the case was peculiar. A large re-organization was being effected in accordance with the recommendations of the Committee presided over by the right hon. Member for the University of Edinburgh (Mr. Lyon Playfair). They involved a division of clerks into two classes, upper and lower, and a diminution in the number of upper clerks. In large offices, like the Admiralty and

War Departments, such a change could not be made piecemeal. It could have been done by the Treasury under the Superannuation Act, which enabled them to make certain provisions for superannuation allowances; but when the matter came under their consideration, the Treasury felt that it would not be right to exercise that power on so large a scale without consulting Parliament, because it might lead to abuse hereafter. The immediate saving at the War Office would be £14,000 a-year, and, ultimately, much more. The immediate saving at the Admiralty would be £10,000 a-year, and, ultimately, £14,000 a-year.

Mr. PARNELL feared that this subversion of the Superannuation Act would involve injustice to clerks, who ought to have a reasonable time—more than 10 days—to decide what they would do, and who ought to be told what they would be relinquishing, and what the future establishment was to be.

Colonel STANLEY said, that so far from the Bill inflicting hardship, it would obviate hardships which might result from the necessity of insisting on the provisions of the Superannuation Act. In the War Office the re-arrangement was being carried out by a Committee, and the names of those whose services it was desirable to retain would be submitted to the Secretary of State. A certain time would be allowed gentlemen to anticipate the operation of the scheme if they preferred to do so; but when that time had elapsed, the Committee would be compelled to commence their painful labours. He failed to see how it would be possible to ascertain and state with precision what future position might be relinquished by gentlemen who chose to retire. He thought the Bill represented the whole equity of the case, and that, in opposing the Bill, hon. Members would injure rather than assist the public servants whose cause they might be inclined to espouse. He regretted that any public servants should be compelled to retire at a time when they thought themselves fit for further work; but the question was one which ought to be decided on the responsibility of the heads of the Departments in which the officials were engaged.

Sir MASSEY LOPES said, that as far as the Navy was concerned, there were already a considerable number of volunteers for retirement, so satisfied were the officials with the terms offered to them.

Motion *agreed to.*

Bill read a second time, and *committed* for *Thursday* next.

TRAMWAYS ORDERS CONFIRMATION (No. 1) (*re-committed*) BILL—[Bill 151.]

(*Mr. J. G. Talbot, Viscount Sandon.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Sir WALTER B. BARTTELOT wished to know when the Committee would be resumed, as it was important that the House should have a full opportunity of considering the question of employing steam power on public roads?

Sir HENRY SELWIN-IBBETSON said, he would fix the Committee for a Morning Sitting on the 14th instant.

Bill *reported;* to be *printed,* as amended [Bill 207]; *re-committed* for *Friday,* 14th June, at Two of the clock.

VALUATION OF PROPERTY BILL.

(*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer, Mr. Salt.*)

[BILL 94.] SECOND READING.

Order for Second Reading read.

Mr. SCLATER-BOOTH, in moving that the Bill be now read a second time, said, that he had on two occasions, and at some length, explained the object with which it was introduced, and on each it was read a second time without a division. Last Session Notice was given of a number of Amendments, and those Amendments had received careful consideration at the hands of the able draftsman of the Bill, with this result—that many of the Amendments had been adopted, and would be found incorporated in the Bill which was now before the House. He was quite ready to consider any suggestion that might be made for the further improvement of the Bill, the main object of which was to consolidate two Acts—the Union Assessment Committee Act and the Metropolis Valuation Act, the latter containing most of the improvements which it was desired to incorporate into the Union Assessment Committee Acts, and apply to the country at large. He was satisfied that the Bill as it now stood was well understood, and was approved by the great majority of the authorities throughout the Kingdom by whom, when it became law, it would have to be administered.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Sclater-Booth.*)

MR. DODSON said, he did not rise to oppose the second reading of the Bill, but to protest against its being accepted as merely a Consolidation Bill. It was, in fact, something very different from a Consolidation Bill, combining, as it did, an Act which applied to the country generally with one which had reference to the Metropolis only.

SIR WALTER B. BARTTELOT regarded the Bill as one of great importance and deserving of mature consideration. Unhappily, the time of the House had been occupied—he would not say by obstructive tactics, but by methods of discussion which had deprived them of the opportunity of giving to important measures of legislation the attention to which they were entitled. It was true, as his right hon. Friend had observed, that a Valuation Bill had been twice read a second time by the House; but the present Bill was not that which the House had before them last year, as it had been materially altered by the incorporation of Amendments. The Bill, if it were passed as it now stood, would fail in this—that it would not secure uniformity of assessment in any county. The County Government Bill was, as they all knew, gone for this year, and that being so, there would be nobody to say whether the assessment in each Union was fair and equal in each county. This he could not help regarding as a great defect. He was very sorry his right hon. Friend the Member for the City of London (Mr. J. G. Hubbard) was not in his place. He had a most important Amendment upon the Paper, which certainly deserved the serious consideration of the House. If the Bill went into Committee, as he concluded it would, he hoped that Amendment would be passed, as no one could read the Bill without seeing that its intention was to raise the valuation up as high as possible. That being so, and as by the Bill all rates were to be levied on the same assessment, if they had only put that Imperial taxes as well as local should be levied on the net instead of the gross estimated rental, he would not push this question further. But he hoped that if the Bill became law, its provisions would secure equal rating throughout the country.

MR. J. COWEN thought that, upon the whole, the Bill was an improvement upon that of last year. Several objectionable clauses had been removed, and new clauses of which he approved had been added. They were, however, proposing to legislate on a wrong principle. The Bill should follow, and not precede, the establishment of County Boards. Take it altogether, however, considering the difficulty in the way of proposing a county government system which would meet the wishes of the House, he was glad that the Bill was being proceeded with. Many alterations might be fairly made in it when in Committee.

MR. MUNTZ saw no reason why the Bill should not go into Committee. It was an immense improvement on the Bill of last year, and he trusted that the House would agree to the second reading.

Motion *agreed to.*

Bill read a second time, and *committed* for *Friday* 14th June, at Two of the clock.

INCLOSURE PROVISIONAL ORDER (LLANFAIR WATERDINE) BILL.

(*Sir Matthew Ridley, Mr. Secretary Cross.*)

[BILL 190.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Matthew Ridley.*)

SIR CHARLES W. DILKE moved that the debate be adjourned. They had not sufficient information with regard to the objects of the measure.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Sir Charles W. Dilke.*)

MR. ASSHETON CROSS hoped the hon. Baronet would allow the Bill to proceed. This was a matter under the Inclosure Act, and it had been fully discussed before the Committee upstairs;

and he believed the Committee had reported unanimously in favour of the Bill. Owing to the arrangements in "another place," unless the Bill was now allowed to proceed, considerable loss would be entailed.

Sir WALTER B. BARTTELOT said, the Committee on this Bill had taken the greatest care with regard to it, and he hoped the second reading would be agreed to. If Committees were not to be trusted with a scheme of this kind, their labours were thrown away.

Mr. DODSON said, it was not fair that a Bill of this kind should be placed before them, and that then they should be told they must pass it because the House of Lords had made a Rule that they would not proceed with it after a certain day. He protested against that.

The CHANCELLOR of the EXCHEQUER said, he quite agreed with the right hon. Gentleman. The House was placed in a very awkward position by the action of the other branch of the Legislature. He should take care that the attention of those responsible for the conduct of Business in the House of Lords should be drawn to the great inconvenience to which their Rule, in Bills of this kind, subjected not only the House of Commons, but the country.

Motion, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* next.

DENTAL PRACTITIONERS (*re-committed*) BILL—[Bill 177.]

(*Sir John Lubbock, Sir Philip Egerton, Mr. Gregory, Dr. Lush.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 21, inclusive, *agreed to.*

Clause 22 (Saving as to registration under 21 and 22 Vict. c. 90).

Mr. YOUNG moved an Amendment, the object of which, he said, was that a person registered under this Act should not be privileged to call himself "surgeon," or "surgeon-dentist," or otherwise to incorporate the word "surgeon" with any other word, so as to give the public an idea that he was a duly qualified surgeon. In point of fact, gentlemen registered under this Act would be licensed dentists, and, as such, the Profession had no objection to their calling themselves what they were; but they did object to their describing themselves as what they were not. The Committee would see that the objection he took was not only in the interest of the Profession, but likewise in the interest of the public. It was fair for the Profession to prevent interlopers from going into another branch of the Profession, and holding themselves out as having the same rank as ordinary medical men. Regularly qualified medical practitioners had borne "the burden and heat of the day," and had gone to large expense, and taken up much time in their education; and, if they did take to a speciality, they were, he submitted, fairly entitled to describe themselves as "surgeon-dentists," or anything else that would not deceive the public, but would give a right description of their real position. At the same time, he had no objection to the Bill, as it would be a register of gentlemen who practised the art of dentistry; but he did not think it right that they should be able to mix themselves up in the public mind with the other branch of the Profession. In the interest of the public it was right to encourage, so far as legislation could, gentlemen who had gone through the whole *curriculum* and had made themselves well acquainted with the human body, to take up dentistry as a speciality. When they were compelled to sit in that uncomfortable chair, it was a satisfaction to know that the operator knew something else besides dentistry. That was hardly possible with gentlemen who were only registered under this Act. Therefore, he thought that it was in the interest of the public that the Profession should be supported by this Amendment. A Petition had been presented by the hon. Gentleman the Member for Chelsea (Sir Charles Dilke), very numerously signed, in support of the Amendment. That Petition had been signed by the present Royal College of Physicians, by Sir William Gull, Mr. Holt, Mr. Girling, Dr. Johnson, and many other gentlemen of eminence in the Medical Profession. He objected to the clause as it stood, because it might lead to great confusion; and, therefore, he moved to insert, in page 7, line 3, after the word "name," the word "or."

Question proposed, "That the word 'or' be inserted."

SIR JOHN LUBBOCK said, that from time immemorial the title surgeon-dentist had been allowed. In 1860 an attempt was made to prosecute a Mr. Gill for assuming this title. The Lord Chief Justice then said that immemorial usage had sanctioned the use of the title. Under the circumstances, he thought it undesirable to complicate matters by introducing a question on which, in the Medical Profession, there was a wide difference of opinion. If the Amendment were adopted, he did not know that it would have the effect of preventing the use of this title, since it was not against the common law of the land. The real object of the Bill was to prevent quackery, and enable the public to distinguish between educated dentists, and those who had really no title to the name.

SIR CHARLES W. DILKE hoped the Government would say something with regard to the prospective value of this Amendment, which was exceedingly interesting to medical gentlemen, of whom 200 had signed a Petition in favour of it.

THE CHANCELLOR OF THE EXCHEQUER was sorry that the Vice President of the Council was not at the moment in his place, and he (the Chancellor of the Exchequer) had not had his attention strictly called to the Amendment. He would look into the matter, and, if it were necessary, an Amendment could be introduced on the Report.

SIR CHARLES W. DILKE suggested that some words should be altered in the clause, otherwise there would be no Report.

MR. YOUNG suggested that the word "or" might be inserted, and he would refrain from moving the consequential Amendments on the understanding that this subject would be re-considered on the Report.

MR. GREGORY objected that the word "or" would then be surplusage, having no meaning.

SIR UGHTRED KAY-SHUTTLEWORTH protested against the insertion of an Amendment with the sole object of inflicting on the Bill an additional stage. There were already sufficient safeguards in the Bill against anyone assuming a title to which he had no right.

THE CHANCELLOR OF THE EXCHEQUER suggested that an opportunity of inserting Amendments might be had in the House of Lords

SIR JOHN LUBBOCK said, that not only the dentists, but the Medical Profession generally were strongly in favour of the Bill as it now stood.

Amendment *negatived.*

Clause *agreed to.*

Remaining clauses *agreed to.*

Bill *reported,* without Amendment; to be read the third time upon *Thursday* next.

PARLIAMENTARY AND MUNICIPAL REGISTRATION (CONSOLIDATED) BILL.

A Bill [as amended by the Select Committee] to amend the Law relating to the Registration of Voters in Parliamentary Boroughs, and the Enrolment of Burgesses in Municipal Boroughs, and relating to certain Rights of Voting and Proceedings before and Appeals from Revising Barristers.

(*Consolidated from the Borough Voters' Bill, and the Parliamentary and Municipal Registration Bill.*)

[BILL 203.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 21, inclusive, *agreed to.*

Clause 22 (Claim by lodger retaining same lodgings in successive years).

MR. CHARLEY moved to report Progress. The Bill had only just been printed, and the next clauses effected important changes in the lodger franchise.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Mr. Charley.*)

MR. ALFRED MARTEN, as Chairman of the Select Committee which reported the Bill, hoped the Motion would not be pressed. The Bill had been most carefully considered in the Select Committee, and had received the approval of all parties. The only alteration as to the lodger franchise, in respect of the claim to vote, was one which would protect the lodger who made a just claim and would insure that claims were *bonâ fide*.

SIR CHARLES W. DILKE hoped the hon. and learned Member for Salford would not press his Motion. Every word of the Bill had been carefully considered, and no sweeping changes had been proposed; but the Bill, as it stood, was a compromise agreed to by both sides.

Motion, by leave, *withdrawn.*

Clause *agreed to.*

Remaining clauses *agreed to.*

Bill *reported,* without Amendment; to be read the third time *To-morrow,* at Two of the clock.

ELECTION OF ALDERMEN (CUMULATIVE VOTE) BILL—[BILL 71.]

(*Mr. Wheelhouse, Mr. Isaac, Mr. Tennant.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [15th March], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

MR. WHEELHOUSE said, that the measure now before the House could not be spoken of as one affecting exclusively either political Party, since its object really concerned both sides alike. It was intended to redress a manifest grievance which applied, in some boroughs, to the one political Party and in others to their opponents. So that he felt, if really fairness were desired or desirable, he might claim the sympathies of Gentlemen alike who generally supported or opposed him. He knew that in one borough—that which he represented—the boast had been made that the Municipal Council should never have another Tory Alderman or Tory Mayor, and for upwards of 30 years the Council had uninterruptedly acted upon the boast, since nothing could induce the Borough Council of Leeds to admit a political opponent to the so-called "honours" of the Aldermanic Bench or Civic Chair, and he did not hesitate to say that a more complete violation of the spirit of the Statute was never realized. The method by which Aldermen were expected by the Municipal Corporations Act, to be chosen was inserted in that Statute in order to guard against an unfair preponderance, and still they saw the consequence of straining it. But he regretted to say that the Corporation of Leeds was not the only municipal body which carried this exclusive system into operation. While Leeds did it on the one side Exeter did it on the other, and to a greater or less extent the same course of conduct was pursued elsewhere. Indeed, it was pretty generally well known that the vast preponderance, if not the whole of the representatives on the several Aldermanic benches was engrossed by one particular shade of politicians; and if the system remained, it would continue to have—as it already had had—the effect of excluding from the representation the better part of those who ought to hold Aldermanic seats. Surely they were not going to perpetuate one of the most unfair grievances that had ever been discovered? If it were right to adopt the cumulative vote with reference to school board elections, *à fortiori,* it was far more in accordance with common sense, fairness, and justice that no Corporation should have the power to say that it would only for 30 years have one particular class of politicians as its representatives, and keep the exclusive power in its own hands. If the cumulative system was a good one for school board elections, it should also be applied to municipal elections. He had never heard a satisfactory excuse urged in favour of the present system of electing Aldermen; for, in nine cases out of ten, those elections were merely political. He thought it was no part of the duty of Municipal Corporations to enter into the political arena, their business being, and the purpose of their election being, that they should see to the sanitary and other arrangements of their constituencies; and the moment they arrogated to themselves the functions of Imperial legislation, or were even elected ostensibly on political grounds, he did not hesitate to say that they not only infringed the duties of another province, but to that extent they also confused their own. He, therefore, hoped that the House would read the Bill a second time.

MR. DODDS moved, as an Amendment, that the Bill be read a second time that day six months. He did not think that any case had been made out for the radical change in the existing law which the measure proposed—a change for which there had been no application from any Corporation in the Kingdom.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Dodds.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. MUNTZ contended that the Bill was a mistake.

Question put.

The House *divided*:—Ayes 53; Noes 48: Majority 5.—(Div. List, No. 169.)

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Tuesday*, 18th June.

TENANT RIGHT (IRELAND) BILL.

[BILL 31.]

(*Lord Hill-Trevor, The Marquess of Hamilton, Mr. Mulholland, Captain Corry, Mr. Chaine.*)

COMMITTEE. [*Progress 30th May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 2 (Holdings in Ulster to be subject to the Ulster Tenant Right Custom at the expirations of leases in certain cases).

LORD EDWIN HILL-TREVOR moved, in page 1, line 14, after "first," to insert "and second section of the principal Act."

Amendment *agreed to.*

LORD EDWIN HILL-TREVOR next moved, in page 1, line 15, to leave out "in the Province of Ulster."

Amendment *agreed to.*

MR. CHARLEY (for Sir ANDREW LUSK) moved, in page 1, line 21, after "lease," to insert "granted after the passing of this Act." The Act was retrospective in its operation, and applied to leases—the parties to which had not the present measure in contemplation when they made them. It would be unfair, he said, to lessors, unless it were limited to leases granted after the passing of the Act.

LORD EDWIN HILL-TREVOR could not assent to the Amendment, the effect of which would be to nullify the provisions of the Bill.

Amendment, by leave, *withdrawn.*

MR. CHARLEY (for Sir SYDNEY WATERLOW) moved, in page 1, line 24, after "custom," to insert—

"The Court, in determining the amount of compensation to be paid to any person making any such claim, shall take into consideration the terms of the lease, the rent at which the premises were held, and any stipulation, proviso, covenant, or agreement therein contained or referred to for the erection of buildings or the making any improvements by the lessee."

In the Amendment, as it stood on the Paper, he would substitute for the words "shall make all reasonable deductions in respect of," "shall take into consideration the terms of." He understood that the noble Lord did not object to the Amendment as so altered.

LORD EDWIN HILL-TREVOR accepted the Amendment as so altered.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

MR. MACARTNEY had a Notice on the Paper to move the following clauses:—

"That whenever in any district of the Province of Ulster in which the Ulster tenant-right custom prevails, a land claim affecting an agricultural or pastoral holding, or a holding partly agricultural and partly pastoral, situate within such district, shall be brought before the Court appointed to hear and determine land claims, the Court shall assume that the estate of which such holding forms a part has been and still continues to be subject to the Ulster tenant-right custom, unless the owner or owners thereof shall prove that such estate has not, at any time within 40 years next previous to the enactment of the 'Landlord and Tenant (Ireland) Act, 1870,' been subject to said Ulster tenant-right custom, or unless the said owner or owners shall prove that the tenant-right of such holding has been purchased or acquired by said owner or owners, or his or their predecessor or predecessors in title.

"That whenever on the hearing of any such land claim, it shall have been either proved or admitted that the Ulster tenant-right custom prevails upon any particular estate situate in the Province of Ulster, and that such custom has been subjected on said estate to any so-called 'estate office rule,' fixing an arbitrary price per acre, or a certain determined number of years' purchase, to be paid to an out-going tenant on such estate for the tenant-right of his holding, such so-called 'estate office rule' shall not debar any outgoing tenant or occupier of any holding on such estate from receiving, on the termination of his occupancy of such holding, the full amount which his tenant-right would be worth if no such 'estate office rule' were in existence on such estate."

The CHAIRMAN: I see there is an Amendment standing in the name of the hon. Member for Tyrone. I think it right to state to the Committee that it is not in Order for him to move it.

Bill *reported;* as amended, to be considered *To-morrow,* at Two of the clock.

INNKEEPERS BILL.

On Motion of Mr. Wheelhouse, Bill for the further relief of Innkeepers, *ordered* to be brought in by Mr. Wheelhouse, Mr. Locke, and Mr. Spencer Stanhope.

Bill *presented,* and read the first time. [Bill 211.]

House adjourned at half after Eleven o'clock.

HOUSE OF LORDS,

Friday, 7th June, 1878.

MINUTES.]—Public Bills—*First Reading*—Conway Bridge (Composition of Debt) * (111).

Second Reading—Local Government Provisional Orders (Artizans' and Labourers' Dwellings) * (101); Public Health (Scotland) Provisional Order (Lochgelly) * (102); Monuments (Métropolis) (No. 2) * (100).

Committee—Report—General Police and Improvement Provisional Order (Paisley) * (91); Local Government Provisional Orders (Birmingham, &c.) * (95).

Third Reading—Consolidated Fund (No. 3) *; Exchequer Bonds (No. 2) *; Local Government Provisional Orders (Droitwich, &c.) * (94); Elementary Education Provisional Order Confirmation (Mickleover) * (92), and *passed.*

ARMY EXAMINATIONS—LITERARY AND PHYSICAL COMPETITIONS.

ADDRESS FOR A PAPER.

Lord HAMPTON, in moving an Address for the Report of the Joint Committee of the War Office and the Civil Service Commissioners appointed to consider the question whether the present literary examinations for the Army should be supplemented by physical competition, said, he had no desire to obtain any premature expression of the views of the Government, or to obtain from his noble Friend the Under Secretary of State for War any promise that the Report would be adopted. But various reports had been circulated with regard to this Report, and it was very desirable that the public should be made acquainted with its real character. There was a strong impression in the public mind that the examinations for commissions in the Army had been of too exclusively a literary character, and that it was very desirable, in the interests of the young men themselves and of the public, that some supplementary test should be adopted; and it had been stated that the object of the Committee was to entirely change the present system; and it was to correct this erroneous impression that he hoped the Report would be produced. The Committee did not desire to put an end to competitive examination; they merely proposed that young men desiring to enter the Army should be permitted voluntarily to take up physical exercises, and were to be permitted to select three out of six branches of physical and manly exercise, and to obtain in these a maximum of 1,200 marks. He could not help thinking that this was a recommendation which would meet with general approval. He might add that letters of inquiry had been addressed to the different Head Masters of the Public Schools and similar institutions, asking for their views on the subject. Their answers were contained in the Appendix to the Report; and, with one or two exceptions, they expressed the strongest opinion in favour of the change which the Committee had ventured to recommend.

Moved, That an humble address be presented to Her Majesty for Report of the Joint Committee of the War Office and the Civil Service Commissioners appointed to consider the question whether the present literary examinations for the Army should be supplemented by physical competition.—(*The Lord Hampton.*)

Viscount BURY said, that there would be no objection on the part of Her Majesty's Government to the production of the Report. In saying this, however, it must be understood that his right hon. and gallant Friend the Secretary of State for War reserved full discretion as to his future course of action. He could not pledge himself to the adoption of the Report, or any portion of it; he reserved to himself power, after deliberation and consultation with the illustrious Duke at the head of the Army and others acquainted with the subject, either to modify the recommendations of the Report, or even to pass it by altogether. It seemed to him, in looking at the Report, that it would be necessary to modify it in several important particulars. For instance, it was true that the Committee had not made competitive examination essential in walking, running, or swimming; but they had established a very high standard in regard to those qualifications—so high, that when, the other day, he spoke upon the subject to a young gentleman who was now in Her Majesty's Service, and his reply was—"If that is to be the standard, I would ather take up Greek." No doubt, some alterations in the examinations would be necessary. If physical competitions were made part of the examination through which young gentlemen had to pass in order to enter the Army, it would, no doubt, be an additional safeguard for securing the finest and best men to Her Majesty's Service.

Earl FORTESCUE said, he had for some years publicly recommended the change, not in the interests of any class, but in that of the Service; not for the sake of any young men, for the sake of the nation. He wished the Queen to have, so far as examinations could act as a guide in their selection, the men likely to make the best and most efficient officers. After what had been said the other day, he retracted his statement that the present system had been hastily, but not that it had been crudely, adopted by the late Government. A concurrence of professional opinion, from field marshals downwards, as well as common sense, was in favour of proficiency in martial and athletic exercises counting for something in the competitive examinations for commissions as well as mere book learning. In the majority of instances, superior intellectual attainments were far from being incompatible with athletic excellence. The cricket and football Elevens of the Engineers, the corps which comprised those who had most distinguished themselves in the Woolwich examinations, had long been notoriously very strong. He had no wish to see the lot of candidates who came out at the top of the list superseded by others, and he did not believe that the adoption of this change would have at all that effect; but he did believe that, in a certain number of instances, the lowest lot of the non-successful competitors might be replaced by others very little behind them in book learning, and very much superior to them in bodily strength and athletic proficiency, much better riders, better runners, better walkers, better swimmers, with great advantage to the Service; and if it were urged that learning to ride involved some expense, so much the better for the Queen if she got officers already proficient in equitation, without having to incur the expense of instructing them in the first rudiments of the art. The object was simply this, that Her Majesty should get the best article she could for her money.

Earl GREY said, he had heard with satisfaction that though the Government were not prepared to promise that they would adopt it, they were, on the other hand, by no means disposed to reject the principle that skill in physical exercises should form part of the competitive examinations for commissions in the Army. It was, in his opinion, of great importance that this principle should be acted upon. He believed that even those who were most sanguine as to the advantages likely to result from competitive examinations did not deny that the system was attended with some serious dangers, and required to be acted upon with caution. There was no doubt that over-exertion in youth sometimes did irreparable mischief to the delicate and curious organization of the human brain. He remembered to have heard the late Sir Benjamin Brodie—whose opinion on such a subject he need not say was of the highest authority—speak in the strongest manner of the many cases he had seen in which permanent mischief had been done to young men of the highest promise by over-stimulating the intellectual powers in early life. It was notorious that there were too many melancholy instances of young men of high natural endowments and qualified to have become distinguished and useful members of society, but whose careers had been ruined, and their prospects in life blighted by excessive work in the pursuit of University honours. But the competition for commissions was still more keen than that for University honours, and that there had arisen a growing desire on the part of parents and teachers to insure success by carrying to the very utmost the training given to candidates for commissions in the Army. The strain thus brought on their minds was very injurious to them in after life, yet it was impossible to check this evil by any regulations for limiting the amount of training to be given, or the amount of knowledge required from those who presented themselves for examination. This would be inconsistent with the very idea of competition. But what could not be done directly, might perhaps be done indirectly, and it appeared to him that if they were not merely to allow a considerable number of marks in these examinations for skill in physical exercises, but to make a certain minimum of marks in these exercises necessary in order to pass, a good deal would be done to check the over-driving of young men in intellectual study. It would then become necessary, in order to obtain success, that candidates for commissions should keep up their health and strength by devoting a fair proportion of their time to those bodily exercises in which more skill would be required from them in order that they might pass. The adoption of the principle contended for would thus afford some security against the greatest danger arising from the system of competition, and would tend to secure better officers for the Army.

Lord ELLENBOROUGH said, he concurred generally with the views of the noble Earl who spoke last but one (Earl Fortescue) which would be given effect to in reference to officers of the Army, by a certificate of qualification in military equitation being required of candidates, and, under any circumstances, a certain number of marks to be given when certificates of a thoroughly competent knowledge were produced; and, in the case of candidates for the Cavalry, Artillery, and Engineers, made compulsory the enforcement rigidly of proper rules for this purpose would insure a practical elucidation of the views of both the noble Earls who last addressed the House. The evil of paramount importance, to prevent, and render impossible, of field officers of Infantry riding on parade for the first time at 45 years of age, was inconvenient in the highest degree, their time being taken up in a nervous endeavour to control their horses, in place of giving proper attention to their duties on parade, remaining outside because unable to enter a square. He left their Lordships to judge the injury that would necessarily accrue to Her Majesty's Service, when field officers thus unqualified were employed on active service in the field; and would conclude, on the present occasion, with merely assuring their Lordships that this was a subject of paramount importance, if only in respect to the efficiency of Her Majesty's Service, and one, in his humble judgment, admitting of an easy solution.

The Duke of CAMBRIDGE said, it was desirable that every man who entered the Army should be a good rider; but great care should be taken that no plan was adopted which would put candidates who could not have had the facilities for practice in riding and athletic exercises enjoyed by young men in high society at a disadvantage with the latter in competing for commissions in the Army. He thought that if such a qualification were required from every candidate, it would exclude from the Army the sons of less opulent parents, otherwise in every way fit for the Service. He had not a word to say against the idea of proficiency in these exercises; but any plan such as that suggested by the noble Lord (Lord Hampton) must be considered with a deliberation which the authorities had not been as yet able to afford to it—and he did not know that, even with such deliberation, an unobjectionable plan could be arranged.

Viscount CARDWELL thought there could be no objection to the production of the Report; but he hoped their Lordships would refrain from expressing any opinion until they knew what the Report really was, and on what grounds the advice it contained was given. The subject was a difficult one; and it appeared that the Secretary of State for War, than whom no one was more competent to form an opinion, had been unable, so far, to decide as to the best plan to be adopted. He must say, however, that there appeared to him to be no real reason to believe that there was any great need to stimulate the public schools, or other educational establishments to encourage athletic exercises. He thought there was much force in what had been said by the illustrious Duke, and that they had great reason to be careful lest the sanction of Parliament should be given to anything calculated to discourage intellectual proficiency in candidates for commissions in the Army.

Motion *agreed to.*

FORCES OF THE CROWN IN IRELAND.

MOTION FOR A RETURN.

LORD PENZANCE moved—

"That an humble address be presented to Her Majesty for Return of the numbers of Forces of the Crown raised and maintained on the Irish Establishment in Ireland between A.D. 1700 and A.D. 1800, distinguishing the numbers the raising and maintenance of which were authorised by the Parliament of England from the numbers not so authorized."

THE LORD CHANCELLOR: On the part of Her Majesty's Government, I have no objection whatever to the Return moved for by my noble and learned Friend; and, on my own part, I am very glad that my noble and learned Friend moved for it. Your Lordships will remember that, during a discussion raised in your Lordships' House a short time ago, I had occasion incidentally to state that during the last century Forces of the Crown had been raised and maintained in Ireland without the assent of the English Parliament. I understand that statement has since been challenged. I am told that it has been denied with great strength and energy. I am told that it has been said that the statement was "absolutely without foundation." Now, my Lords, I do not complain of any observations of that kind—I have no personal feeling on the subject—I am only anxious to put your Lordships in possession of any information on the subject which I may possess; and I hope the Return moved for by my noble and learned Friend will verify my statement. The argument, as I understood it, that was used was this—that in an Act passed shortly before the beginning of the 18th century—the Disbanding Act, passed for the disbanding of English and Irish troops—it was provided that in Ireland a certain number of troops not exceeding 12,000 should be maintained—the King having the power of determining what the number of troops should be. Those troops were on the Irish establishment. I am aware that some persons consider that that Act, in the circumstances in which it was passed, was not meant to be an Act giving the authority of Parliament to the maintenance of a certain number of troops; but I should rather take the ordinary, and, as I think, the more correct construction, and look on it as an Act for the maintenance of 12,000 troops in Ireland. I will go further, and admit that there was an Act supplementing that one, and authorizing the maintenance of 3,000 additional troops in Ireland. Those were both English Acts of Parliament. But that does not exhaust the history of the last century, and it does not touch that part of the history of Ireland to which I made reference. What number of additional instances may appear from the Return moved for by my noble Friend I do not know; but I can refer to no fewer than seven instances during the last century in which troops in very considerable numbers were raised and maintained in Ireland on the Irish establishment without the assent and authority, as far as I am aware, of the English Parliament. The seven instances to which I refer were in the years 1793, 1795, 1796, 1797, 1798, 1799, and 1800; and your Lordships will find that in those seven years, and, indeed, throughout the whole of the last century, the 12,000 men and the 3,000 men were kept perfectly distinct from the force raised in these seven years. In 1793, the new forces or augmentations were 5,000; in 1795, they were 8,246; in 1796, they were 7,012; in 1797, they were 25,667; in 1798, they were 17,620; in 1799, they were 20,281; and in 1800, they were 33,839—all in addition to the old nucleus of the Irish Army of 12,000 and 3,000 men. I now take the liberty of repeating the statement which I made on a former occasion—namely, that these troops, so numerous, were raised and maintained on the Irish establishment without any assent or authority from the English Parliament. I hope it will appear from the figures which I have just quoted to your Lordships that the statement I then made was not absolutely without foundation? I am very glad that my noble and learned Friend has moved for the Return, and I would suggest to him that he should make an addition to it having reference to a matter closely connected with this subject. The question as to the raising of troops —whether they must be raised with or without the authority of Parliament— appears to me to be a theoretical or speculative question rather than a practical one. Nobody can imagine that any troops are now going to be raised without the authority of Parliament— and certainly no proposition of that kind has been raised by anybody. The question brought before your Lordships' House the other night by my noble and learned Friend, not now present (Lord Selborne), was a very different one. It was a very practical question. It was this—there being an Army in India of Native troops, authorized by Parliament to be raised, what is the power of the Crown as to the employment of those troops? Your Lordships will see how extremely relevant the question of the employment of the 12,000 troops in Ireland is to the employment of the Native Indian troops. The 12,000 Irish troops were authorized by Parliament to be raised, and it was provided that they were to be kept on the Irish, and not on the English, establishment. The Mutiny Act passed by Parliament year after year referred to the Army provided for the defence of this country and the Colonies—the Imperial Army—but did not include nor in any way touch upon the 12,000 troops maintained in Ireland. Now, just in like manner the Native Indian Army is authorized to be raised by Statute; and just in the same way as the 12,000 troops were to be raised and employed in Ireland, so the Native Indian Army is authorized to be raised by Statute, to be on the Indian Establishment, and to be employed for service in India. In like manner, also, the Mutiny Act does not refer to the Native Indian Army; and, in that respect, the position of the 12,000 troops in Ireland was extremely similar to the position of the Native Indian Army. Now, it would be desirable to have some information as to the manner in which the 12,000 troops on the Irish establishment were used and employed by the Crown during the first half of the last century; and, with reference to that point, I ask my noble and learned Friend to make an addition to his Motion by wording it so as to include a State Paper on the subject which your Lordships will find of considerable interest. In the year 1736, a question was raised between one of the Principal Secretaries of State and the Irish Government as to the employment of troops on the Irish establishment out of Ireland. The answers were given from the Office of the Secretary at War to questions sent from the Office of His Majesty's Principal Secretary of State. A dispute which had arisen as to the mode of payment of those troops seems to have been referred to the decision of Lord Hardwicke, and questions were prepared for the instruction of Lord Hardwicke. The first Question was this—

> "When regiments on the Irish establishment were first sent to do duty out of Ireland and yet received the Irish pay, with an advanced pay from England?"

Now, this is the statement of the Secretary at War as to the employment of those 12,000 troops to whom I have referred—

> "Regiments on the Irish establishment have been sent to do duty out of Ireland time out of mind when required by England, and to my own knowledge troops were sent from thence in the reign of Queen Anne and divers times since; and when Irish regiments are brought over from Ireland or sent upon foreign service, it has always been the custom from the day of their embarcation in Ireland inclusive to place them upon the English establishment, or to allow them English pay, although continued with Irish numbers, or, if detained upon the establishment of Ireland, the difference between the Irish and English pay is made good to the commission, non-commission officers, and private men by England; a fresh proof of which is that although the right hon. the Earl of Rothes's regiment of Foot has been several years at Gibraltar, it hath, during the whole time, been kept upon Irish numbers and upon the establishment of that Kingdom, and the difference between the English and Irish pay is made good by the Parliament of Great Britain annually and not repaid by Ireland."

This points to that which is also part of the history of that period. It appears, my Lords—and there can be no question about it, because it appears from the Estimates, which are in your Lordships'

Library—that the regiments of the Irish establishment were sent to Gibraltar and garrisoned Gibraltar simply by the orders of the Crown—they were not in any way included in the Vote of men in England, and no consent of Parliament was asked on the subject. Another thing that was done was this. After they had gone to Gibraltar, after they had got there—just as has been done in the case of the Indian troops at Malta—an application was made to Parliament for the cost of transports, &c. There is a great number of instances where that was done in the first half of the last century. I will cite only one. I find in the Estimates of the year 1727, which were laid on the Table on the 6th of February, 1727, that the Estimates are divided into two portions. There is, first, the Estimate for the coming year, just as we have now—giving the number of men on the English establishment and the pay for them. But the second part of the Estimates is "an account of services incurred and not provided for by Parliament." That is expenditure for which no Vote had been taken; and here are two of the items—

> "For the charge, &c., of transporting the regiments of Colonel Hayes and Colonel Middleton from Ireland to Gibraltar, and for the service of some of the transport while detained there,"

so much money. Then there is the item—

> "For the difference of pay between the English and Irish establishments for the two regiments of Hayes and Middleton from the respective days of their embarcation to the 24th of December, 1727,"

a further sum. Therefore, the regiments were sent under the orders of the Crown to Gibraltar from the Irish establishment, and application in the following year was made to the English Parliament for the charge for the transports and for the pay of the two regiments—thus forming a perfect analogy to what has now been done in the case of the Indian regiments. I would, therefore, suggest to my noble and learned Friend that he would allow me to add to the Return, for which he now moves, these words—

> "Copy of answers in 1736 from the Office of the Secretary at War to queries of the Principal Secretary of State as to the employment of troops on the Irish Establishment."

LORD PENZANCE said, he had no objection to offer to the additional words suggested by his noble and learned Friend.

VISCOUNT BURY was understood to say he was afraid that the Records of the Adjutant General's Offices would not furnish the information now sought for, as far as regarded the earlier part of the last century.

Motion amended, and *agreed to*.

Address for—

> "Return of the numbers of Forces of the Crown raised and maintained on the Irish Establishment in Ireland between A.D. 1700 and A.D. 1800, distinguishing the numbers the raising and maintenance of which were authorized by the Parliament of England from the numbers not so authorized: And also,
>
> "Copy of answers in 1736 from the Office of the Secretary at War to queries of the Principal Secretary of State as to the employment of troops on the Irish Establishment."—(*Lord Penzance.*)

House adjourned at a quarter past Six o'clock, to Monday the 17th instant, a quarter before Four o'clock.

HOUSE OF COMMONS,

Friday, 7th June, 1878.

MINUTES.]—NEW WRIT ISSUED—*For* Rochester, *v.* Philip Wykeham Martin, esquire, deceased.

SELECT COMMITTEE—*Report*—Tramways (Use of Mechanical Power) Bills [No. 224].

SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES, Class I.—PUBLIC WORKS AND BUILDINGS.

Resolutions [June 6] *reported.*

PUBLIC BILLS—*Second Reading*—Inclosure Provisional Order (Orford) [189].

Committee—Report—Highways [95-214]; Local Government (Ireland) Provisional Order Confirmation (Artizans' and Labourers' Dwellings) (Cork) * [180].

Considered as amended—Third Reading—Tramways Orders Confirmation (No. 2) * [198], and *passed.*

Third Reading—Parliamentary and Municipal Registration (Consolidated) * [202], and *passed.*

The House met at Two of the clock.

PRIVATE BILLS.

Ordered, That Standing Order 129 be suspended, and that the time for depositing Petitions against Private Bills, or against any Bill to confirm any Provisional Order, or Provisional Certificate, be extended to Thursday next.—(*The Chairman of Ways and Means.*)

QUESTIONS.

POST OFFICE — NEWSPAPER REGISTRATION.—QUESTION.

Mr. BENETT-STANFORD asked the Postmaster General, Whether any rules have been laid down by the Post Office for the construction of the Post Office Act, 1870, as regards the definition of a newspaper contained in that Act; and, if so, whether he has any objection to lay those rules upon the Table of the House; whether he holds that he is empowered under the Act of 1870 to call upon proprietors of publications presented for registration to make alterations in the character or matter of the publications, and whether this has been done since the passing of the Act; whether it is the case that his refusal to register any publication claiming to be a newspaper subjects that publication to a heavier rate of charge on every occasion of its transmission through the post; and, whether he has considered if stitched newspapers may, with public advantage, be registered and posted as newspapers?

Sir HENRY SELWIN-IBBETSON: Sir, no such rules as those referred to have been laid down. When application is made for the registration of a publication as a newspaper, it is entered on the register if it be found to be in accordance with the definition of a newspaper contained in the Act. If it be not in accordance with the definition, it is explained in what respect the publication fails to meet the requirements of the Act. The refusal to register a newspaper might render it liable to a heavier rate of charge. It is considered that it would not be advantageous to allow publications if stitched to be registered as newspapers.

FOREIGN OFFICE REPORTS. QUESTION.

Mr. BAILLIE COCHRANE asked the Under Secretary of State for Foreign Affairs, What is the rule laid down as to the printing of the Reports of Her Majesty's Secretaries of Embassies and Legations on the manufactures and commerce of the countries in which they reside, and why some very important Reports, such as that of Mr. Trench on the Finance of the United States, and Mr. Drummond on the Silver Currency question, have not been printed?

Mr. BOURKE, in reply, said, that those Reports were printed as fast as possible after they were received. There was, however, a very large amount of business before the Government printers, and that fact made it impossible sometimes for them to print the Reports as speedily as was desired. The Reports referred to by the hon. Gentleman were very voluminous, and would necessarily take a good deal of time to print them. He could only say that the Government were anxious to give the public the full benefit of those Reports as soon as possible.

CORRUPT PRACTICES ACTS—LEGISLATION.—QUESTION.

Sir CHARLES W. DILKE asked Mr. Chancellor of the Exchequer, With reference to the promises made by the Home Secretary in 1876, and by himself and by the Attorney General in 1877, that the Government would, at an early date, bring in and press forward a Bill to amend the Corrupt Practices Acts, when the Bill will be introduced?

The CHANCELLOR of the EXCHEQUER: Sir, I am afraid I can only say we have been very anxious to bring in this Bill, but the pressure of Business during the last few Sessions has rendered it very difficult to do so. The Bill has been prepared, and is ready to be brought in; but I do not think, at the present moment, I can make any promise on the subject.

INLAND REVENUE—BREWERS' LICENCE TAX.—QUESTION.

Sir EDWARD WATKIN asked Mr. Chancellor of the Exchequer, Whether he is aware that 13,000 small brewers have given up their trade in the last twelve years; whether brewers can escape any extra payment on account of the Licence Tax by reducing their payments to the Malt Tax; and, whether hereby the Brewers' Licence Tax is not unproductive in many cases?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I believe it is perfectly true that there are now 13,000 fewer brewers than there were 12 years ago, and also that there are about 23,000 fewer than there were 40 years ago. That is, in fact, the result of the competition of large brewers, which necessarily tells on the trade in the same way as it tells on other trades—by driving small men out. With regard to the second part of the Question, it is undoubtedly true that, if brewers put less malt in their beer, they can escape a certain amount of malt tax and also a certain amount of licence tax; but, at the same time, of course, they reduce the quality of their beer, and they have to consider whether that would be to their advantage as traders. With regard to the last part of the Question, as to whether the brewers' licence tax is not unproductive in many cases, I do not know whether that is quite so. Within the last 12 years the amount of Revenue from that source has increased from £360,000 to £411,000 per annum.

POOR LAW—COMPENSATION ALLOWANCES TO UNION OFFICERS.

QUESTION.

MR. J. R. YORKE asked the President of the Local Government Board, If he will explain to the House on what principle the Local Government Board determine the number of years which they sometimes add to the actual period served by union officers when establishing the basis on which to calculate the amount of annual compensation allowance to be granted to such officers when the offices they may have held have been abolished; and, whether he is aware that some persons still in the receipt of such annual compensation allowances also hold salaried offices under union authorities; and, if so, whether he has considered how such a state of things should be made to cease?

MR. SCLATER-BOOTH: Sir, the Local Government Board, in determining the number of years to be added to the actual period served, follow the scale laid down by the Treasury in the cases of members of the Civil Service whose offices are abolished—namely, in the case of persons who have served less than five years, an addition of one year; less than 10 years, an addition of three years; less than 15 years, an addition of five years; less than 20 years, an addition of seven years; and for 20 years and upwards, an addition of 10 years. It is quite true that some persons to whom compensation allowances have been awarded under the Metropolitan Poor Act have since been appointed to salaried offices under other Union authorities; but the Local Government Board, as administrators of the common poor fund, out of which both the pensions and salaries are defrayed, take care that the second salary, together with the pension, shall not exceed the original salary in respect of which the pension was granted.

NAVY—WIDOWS' PENSION FUND.

QUESTION.

CAPTAIN PRICE asked the First Lord of the Admiralty, Whether the question of a pension fund for the widows of seamen and marines has been considered by him and with what result?

MR. W. H. SMITH: Sir, the Question has been submitted to Mr. Finlaison, the Actuary of the National Debt Office, and he has reported that on the basis of 20,000 members, each paying 1*s.* 8*d.* a-month, a Government contribution of £130,000 a-year in perpetuity would be required to pay pensions of £20 a-year to widows. I shall be exceedingly glad to lay the Papers upon the Table, if my hon. and gallant Friend will move for them.

ARMY—THE TYRONE FUSILIERS.

QUESTION.

MR. O'DONNELL asked the Secretary of State for War, Whether his attention has been called to discontent among the men of the Tyrone Fusiliers, in barracks at Omagh, at the quality of the rations supplied to them; and, if he will make inquiries into the circumstances attending the contract for the supply of beef, mutton, and especially pork?

COLONEL STANLEY: Sir, I have no information with respect to this subject. No complaint of any kind has reached the War Office. I have telegraphed for information to the General commanding in Ireland, and have not yet received an answer. I would ask the hon. Gentleman, if he can furnish me with any information on the subject which may lead to further inquiry?

PARLIAMENT—PUBLIC BUSINESS.

QUESTIONS.

Mr. PARNELL asked the Chief Secretary for Ireland, Whether, in view of the fact that the County Government Bill is not to be proceeded with, he proposes to withdraw the Grand Jury Law Amendment (Ireland) Bill?

Mr. J. LOWTHER: Sir, the terms of the hon. Gentleman's Question, as it appears upon the Paper, seems to me to place the County Government Bill in a different position from that which it really occupies. I do not understand that any positive announcement has been made that it will not be proceeded with this Session, but merely that other measures would be placed before it. Even if the County Bill were to be withdrawn, I should not be disposed to consider that the Grand Jury Bill would necessarily be carried down with it. On the contrary, I should consider that one of the rival claimants for the time at the disposal of the Government was thereby disposed of, and I should be most reluctant to abandon the Grand Jury Bill. I still cling to the hope that hon. Gentlemen on both sides will afford such assistance as may enable us to progress with it this Session.

Mr. KNATCHBULL-HUGESSEN remarked, that the impression on that—the Opposition—side of the House, from the statement of the Chancellor of the Exchequer the other day, was that the County Government Bill was not to be proceeded with. He ventured to ask, Whether that impression was correct, inasmuch as the subject was really one of too much importance to make it proper that the country should be left in a state of uncertainty upon it, and the Government measure dangled before the eyes of Parliament, to be carried forward, or dropped, as accident might determine?

The CHANCELLOR of the EXCHEQUER: Sir, it is really very difficult at this period of the Session to give absolute answers with regard to Bills; but I must confess that, in making my statement the other day with regard to the precedence which was to be given to other Bills, the impression I had was that in all probability the County Government Bill could not be fully considered this Session. At the same time, I do not like to withdraw it so early in the Session, as an opportunity for passing it may still arise.

ARMY—THE NORTHAMPTON MILITIA.

QUESTION.

Mr. HAYTER asked the Secretary of State for War, Whether he is able to give to the House any information respecting the outbreak of the Northampton Militia, and whether the character of it is likely to prove sufficiently grave to necessitate the removal of the regiment from the town?

Colonel STANLEY, in reply, said, that, by some mistake, he had not received Notice of the Question in time to make full inquiry; but he believed there had been riots—the accounts of which, he thought, were exaggerated—between the Militia and the townspeople at Northampton. He had no reason to suppose that there had been any serious danger either to life or property. As the Militia training would cease tomorrow or Monday, it was not thought advisable to remove them to another place. Orders had been sent down that they were to deliver in their arms and clothing that evening, and it was probable that a large proportion of the men would then be sent home.

PARLIAMENT — THE WHITSUNTIDE HOLIDAYS.—MOTION.

The CHANCELLOR of the EXCHEQUER moved, "That the House, at its rising, should adjourn till Thursday next."

Sir CHARLES W. DILKE suggested that as there was a general understanding that no Evening Sitting should be taken, the Motion should be so framed as to render it unnecessary for the Speaker to attend at 9 o'clock.

The CHANCELLOR of the EXCHEQUER said, the difficulty would be got over by some hon. Member at 7 o'clock moving that the House should then adjourn.

Motion *agreed to.*

ORDERS OF THE DAY.

HIGHWAYS BILL—[BILL 95.]

(*Mr. Sclater-Booth, Mr. Salt.*)

COMMITTEE.

Order for Committee read.

MR. SCLATER-BOOTH moved that the Bill pass through Committee *pro formâ*, in order to be reprinted with Amendments.

MR. CLARE READ said, the amended Bill would be quite a different measure from that now before the House; and he trusted, therefore, that ample time would be given for its consideration by the country.

MR. RYLANDS thought the House was entitled to know definitely, whether the Government, in amending the Bill, intended to throw over County Boards or not?

MR. KNATCHBULL - HUGESSEN said, if he found, after conversation with other hon. Gentlemen who were interested in the question, that he was likely to receive substantial support, he should, when the Bill was in Committee, move Amendments which would have the effect of making highway districts compulsory, so as to establish an uniform system throughout the country.

SIR WALTER B. BARTTELOT said, if the right hon. Member wanted to stop a Highway Bill, that was the very way to do it, because the country was opposed to the compulsory establishment of Highway Boards. He thought everybody must be of opinion that a Bill of this kind was absolutely necessary now that turnpike roads had been abolished. If the power were vested in the magistrates, they would exercise it as economically as possible, and this arrangement would not interfere with any future measure for the establishment of County Boards.

MR. SCLATER - BOOTH said, the mode in which the Bill had been altered was as follows: — The word "authority" had been substituted for the word "Board" throughout the Bill, and there was another provision to the effect that the County Justices should be the "authority" for administering the Act. The framework of the measure would be applicable in future years in case County Boards should be eventually established.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 25, inclusive, *agreed to.*

Clause 26 (Interpretation).

MR. SCLATER-BOOTH moved, in page 11, after line 15, to insert—

"'Highway authority' means as respects an urban sanitary district the urban sanitary authority, and as respects a highway district the highway board, and as respects a highway parish the surveyor or surveyors or other officers performing similar duties."

MR. W. E. FORSTER entered his protest against any such general Amendment being taken as a precedent in the case of other Bills.

Amendment *agreed to.*

MR. SCLATER-BOOTH moved, in page 4, after clause 13, to insert the following clauses:—

Main roads.

(Disturnpiked roads to become main roads, and half the expense of maintenance to be contributed out of county rate.)

"For the purposes of this Act, any road which has within the period between the thirty-first day of December one thousand eight hundred and seventy, and the date of the passing of this Act, ceased to be a turnpike road, and any road, which being at the time of the passing of this Act a turnpike road, may afterwards cease to be such, shall be deemed to be a main road; and one half of the expenses of the maintenance of such road shall, as to every part thereof which is within the limits of any highway area, be paid by the county authority of the county in which such road is situate, out of the county rate, on the certificate of the surveyor of the county authority to the effect that such main road has been maintained to his satisfaction.

(Description of highway areas.)

"The following areas shall be deemed to be highway areas for the purposes of this Act (that is to say):

(1.) Urban sanitary districts other than boroughs having separate courts of quarter sessions;

(2.) Highway districts;

(3.) Highway parishes not included within any highway district or any urban sanitary district.

(Power to declare ordinary highway to be a main road.)

"Where it appears to any highway authority that any highway within their district ought to become a main road by reason of its being a medium of communication between great towns, or a thoroughfare to a railway station, or otherwise, such highway authority may apply to the county authority for a Provisional Order declaring such road, as to such parts as aforesaid, to be a main road; and the county authority, if of opinion that there is probable cause for the application, shall cause the road to be inspected, and, if satisfied that it ought to be a main road, shall make a Provisional Order accordingly; a copy of the order so made shall be forthwith deposited at the office of the clerk of the peace of the county, and shall be open to the inspection of persons interested at all reasonable hours; and the order so made shall not be of any validity unless and until it is confirmed by a further order of the county authority made within a period of not more than six months after the making of the Provisional Order.

(Power to reduce main road to status of ordinary highway.)

"If it appears to a county authority that any road within their county, within the period between the thirty-first day of December one thousand eight hundred and seventy and the date of the passing of this Act ceased to be a turnpike road, ought not to become a main road in pursuance of this Act, such authority shall, before the first day of January one thousand eight hundred and seventy-nine, make an application to the Local Government Board for a Provisional Order declaring that such road ought not to become a main road.

"Subject as aforesaid, where it appears to a county authority that any road within their county, which has become a main road in pursuance of this Act, ought to cease to be a main road and become an ordinary highway, such authority may apply to the Local Government Board for a Provisional Order declaring that such road has ceased to be a main road and become an ordinary highway.

"The Local Government Board, if of opinion that there is probable cause for an application under this section, shall cause the road to be inspected, and if satisfied that it ought to cease to be a main road and become an ordinary highway shall make an order accordingly, to be confirmed as hereinafter mentioned.

"All expenses incurred in or incidental to the making or confirmation of any order under this section shall be defrayed by the county authority applying for such order.

(Turnpike road in several counties.)

"Where a turnpike road subject to one trust extends into divers counties, such road, for the purposes of this Act, shall be treated as a separate turnpike road in each county through which it passes.

(Accounts of expenses of maintenance of main roads.)

"Every highway authority shall keep, in such form as may be directed by the county authority, a separate account of the expenses of the maintenance of the main roads within their area, and shall forward copies thereof to the county authority at such time or times in every year as may be required by the county authority, and the accounts so kept shall be subject to such audit as the county authority may direct.

"If any highway authority makes default in complying with the provisions of this section, or with any directions given in pursuance thereof by the county authority, the county authority may withhold all or any part of the contribution payable by them under the Act towards the expenses of the maintenance of main roads by such highway authority for the year in which such default occurs.

(Highway district situate in more than one county.)

"Where a highway district is situate in more than one county the provisions of this Act with respect to the expenses of the maintenance of main roads shall apply as if the portion of such district situate in each county were a separate highway district in that county."

Clauses *agreed to*, and *added* to the Bill.

Bill *reported;* to be *printed*, as amended [Bill 214]; *re-committed* for *Friday* next, at Two of the clock.

INCLOSURE PROVISIONAL ORDER (ORFORD) BILL—[BILL 189.]

(*Sir Matthew Ridley, Mr. Secretary Cross.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Matthew Ridley.*)

SIR CHARLES W. DILKE said, two Inclosure Bills were brought before the House last night, when one of them was passed a stage, though not without much remonstrance, on the ground that there had been no opposition to it before the Select Committee. He understood, however, that this Orford Bill was objected to by a Committee upstairs. The evidence taken before the Committee had not been printed and circulated; and, in these circumstances, whatever the Standing Order of the House of Lords might be, he thought it would be impossible to go on with the Bill at present. He, therefore, moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Sir Charles W. Dilke.*)

SIR MATTHEW WHITE RIDLEY hoped the hon. Baronet would not press his Motion. In consequence of the Standing Order of the House of Lords, there would be a difficulty in passing the Bill this Session if the second reading were not now agreed to. He would give an undertaking that the evidence adduced before the Select Committee should be printed and placed in the hands of hon. Members before the next stage of the Bill was taken.

MR. SHAW LEFEVRE thought it was rather unsatisfactory that the House should be called upon to proceed at once with a Bill of this kind in consequence of a Standing Order of the House of Lords.

MR. ASSHETON CROSS said, the circumstances of the evidence not having yet been printed was not owing to any fault on the part of the promoters. The simple fact was that the printer of the House had not been able to get through the work. He had, however, received a letter from Mr. Hansard, who undertook that the evidence should be in the hands of hon. Members on Wednesday morning. He entirely agreed that, as the Chancellor of the Exchequer observed last night, the Rules made "elsewhere" were extremely harsh, not only to this House, but to the public at large. Indeed, the Government would exert their influence in order to bring about a revision of those Rules. In this particular case, however, he thought no hardship would be inflicted on the opponents of the Bill if the second reading were now passed.

MR. DODSON said, the Secretary of State had just remarked that the Rule of the House of Lords was mischievous in regard to the public. He begged the House to take note of that expression. The Rule was introduced into the other House on the 4th of February and adopted on the 5th; but the Government then offered no opposition to it. After the statement of the right hon. Gentleman, it might be hoped that the Government would use their influence to get the Rule rescinded. If it were not rescinded, the Government ought to introduce their Bills early in the Session, so that this House might have ample opportunity for discussing them.

SIR WALTER B. BARTTELOT said, he agreed with much that had been said by the right hon. Gentleman who had just spoken, and he had no doubt that the Home Secretary would see that the restriction imposed by the other House would be removed. It should be borne in mind, however, it was not common but commonable land that this Bill dealt with, and there was great difference between the two. By the liberality of an individual, a large recreation ground had been set out for the benefit of the public, and more than an equivalent would be given them. It would be a great advantage that this commonable land should be inclosed.

MR. DILLWYN objected to the second reading, on the ground that the reasons for the passing of the Bill had not been stated to the House.

MR. HARDCASTLE remarked, without expressing an opinion on the merits of the Bill, that the Standing Orders of the House of Lords interfered very much with the Business of the House. The Manchester Waterworks Bill, for instance, had been thrown out on the ground that the Notices should have been served last November of Amendments which, in fact, were not proposed by the promoters of the Bill at all, but were forced upon them by a Committee of this House sitting in May.

MR. RAIKES said, that it was essential for the transaction of Parliamentary Business that some day should be fixed, after which Private Bills would not be proceeded with, otherwise the other House would have a number of Bills sent up so late in the Session that it would be impossible to deal with them properly. He was not prepared to say, however, that the day which had been fixed by the other House was necessarily the best.

MR. RYLANDS opposed the second reading, on the ground that if they were to advance the Bill a stage they might be taking a line which, if they had the evidence before them, they would not have taken.

THE CHANCELLOR OF THE EXCHEQUER said, that the right hon. Member for Chester (Mr. Dodson) had seized upon a phrase of his right hon. Friend and made it the topic for a severe attack upon the Government. But, in these matters, it must be borne in mind that the Standing Orders were made in conformity with the usual practice of both Houses, and upon the authority of those Gentlemen who took the lead in the regulation of Private Business, and that the attention of the Government was not attracted to alterations of this kind until some circumstances forced it upon their notice. He could only say, as he said last night, the Government were very desirous to bring about an accommodation between the Rules and Orders of the other House of Parliament and the proceedings of the House of Commons so as to avoid such difficulties as they now found themselves confronted with. But, as the Chairman of Committees had pointed out, it was necessary to have certain days fixed, after which Business was not to be taken, and the question was whether or not the days were conveniently fixed. It was difficult to say *à priori;* but after what they had seen to-day it might be that the day fixed by the House of Lords, the 18th of June, was too early. At all events, it was a matter for consultation between the authorities of the two Houses, in order to see whether some modifications might not be introduced. He promised last night, and he promised again, that in concert with the authorities of the House, the Government would endeavour to see whether some modifications might not be made so as to give effect to the Rule with the least inconvenience to the Business of the House. They had always to choose between difficulties, and they were very much in the position of the man who had to put five horses into four stalls. With reference to the Bill, he understood that the Report of the proceedings and the evidence would be delivered at the Vote Office for circulation on Wednesday. He did not think that any harm would be done if the Bill were read a second time.

Mr. KNATCHBULL-HUGESSEN rose to defend his right hon. Friend the Member for Chester from the attack made on him by the Chancellor of the Exchequer. The Chancellor of the Exchequer complained that his right hon. Friend had taken advantage of a phrase used by the Home Secretary. But when the right hon. Gentleman stigmatized this Rule as a mischievous one, his right hon. Friend was quite justified in what he had said. If a young and enthusiastic Member of the House used such expressions in the heat of debate, no one would take much notice of it; but when a responsible Minister of the Crown deliberately branded a Rule of the other House of Parliament as a mischievous Rule, it was a little too much to speak of such an expression as a mere "phrase," which meant nothing. He would also remark, that when they were asked to pass a Bill only because the House of Lords had made a Rule that they would receive no Bill after a certain date, it should be remembered that they, the House of Commons, had made no similar Rule as regarded the other House, and he (Mr. Knatchbull-Hugessen) could not see why they were bound to pay any deference to such a Rule. No one wished to throw any impediment in the way of the Bill, if they only knew what the Bill was; but the question was, were they to proceed with a Bill about which they were not informed? If the Government consented to the adjournment of the debate, no harm would be done to anybody.

Question put.

The House *divided:*—Ayes 48; Noes 69: Majority 21.—(Div. List, No. 170.)

Question again proposed, "That the Bill be now read a second time."

Mr. E. JENKINS moved the adjournment of the House. He strongly objected to the House being driven into a corner, and forced to accept the second reading of the Bill without the opportunity of reading the evidence given before the Committee.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Edward Jenkins.*)

The CHANCELLOR of the EXCHEQUER said, he hoped the hon. Gentleman would not persevere in this Motion. Whether they approved or disapproved the Rule which had been established in "another place," they must all recognize the fact of its existence, and must remember that this matter involved the convenience of many parties, and might lead to considerable expense. It might be more convenient to be in possession of the evidence before the second reading; but if they read the Bill a second time now, and did not part with the control over it till the next stage, they might still either amend or reject it if necessary.

Sir CHARLES W. DILKE said, there was no reason why the House should have been driven into a corner like this, for the scheme was prepared before the meeting of Parliament. He understood that, according to precedent, the present Bill would be withdrawn, and a new Bill introduced in the House of Lords.

Mr. DODSON said, he did not think there was any necessity for the House to be driven into a corner in regard to the Bill, nor did he altogether assent to the doctrine laid down by the Chancellor of the Exchequer, that the House should give way. But he hoped this Motion would not be pressed, the Government having promised to use their influence to obtain, if not the removal, at all events the modification, of the Rule objected to.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Bill read a second time, and *committed* for *Friday* next, at Two of the clock.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

IMPRISONMENT FOR DEBT.

OBSERVATIONS.

MR. E. JENKINS said, he should not press his Motion as to debtors undergoing imprisonment, because the Home Secretary, having had the Correspondence laid before him, had modified the rules of which complaint had been made. He had to thank the right hon. Gentleman for the readiness and promptness with which he had dealt with the matter, simply brought to his notice by a Question in that House. There was still some complaint that the wives of debtors were searched, and often partially undressed, before entering their husband's cells, and with this he hoped the right hon. Gentleman would deal.

MR. ASSHETON CROSS said, he was ready to admit that the position of debtors, while prisoners under the provisions of the Prisons Act of last Session, was somewhat anomalous. He thoroughly sympathized with the poor men who were imprisoned, because they were, in reality, unable to pay their debts. While in prison, they had to be maintained formerly by the county, and now by the State, their wives and families passing in the meantime into the workhouse, to be maintained out of the rates, so that society would actually gain by at once paying off their debts. But, having had much experience of prisons, he knew that there were many debtors imprisoned who were able to pay, but refused to do so. His view was that no one should be imprisoned except for crime; but a great many debtors, who were able to discharge their liabilities, chose to be kept in prison at the public expense rather than part with their money. Such men were acting with fraud, and ought to be punished for it. In one case, the Visiting Justices of a gaol had most successfully dealt with such persons by a timely increase of prison discipline, from which the debtors were glad to escape by paying their debts. He could not recommend the abolition of imprisonment for debt, but thought that the Attorney General might make some addition to the Act of 1877, which would meet cases such as those he had mentioned.

PERAK.—QUESTIONS.

SIR CHARLES W. DILKE asked the Secretary of State for the Colonies, Whether his attention has been called to an article in the "London and China Telegraph" of May 27th, 1878, in which the writer, after commenting upon the Estimates for the State of Perak, recently framed by the British Resident, Mr. Low, who, "acting under the advice of the Government of the Straits Settlements," declined to sanction a proposed new tax, goes on to remark, in conclusion—

> "that, as Perak matters seem to be all regulated by the governor of Singapore, it would be better and more straightforward at once to announce the annexation of the country, and not to keep up a state of things which is farcical and far from creditable;"

and, whether, looking to the fact that on the 1st June, 1876, Lord Carnarvon expressly declared that—

> "government of the country by British officers in the name of the Sultan (a measure very little removed from annexation) could not be allowed,"

he will lay upon the Table further Papers showing, for the information of the House, the policy, instructions, and authority under which the proceedings of British Residents in Perak are now regulated; and in what respects the present condition of Perak differs from that of an annexed province, and the functions of the residents there from those proposed for the Commissioners appointed by Sir William Jervois, but, subsequently, set aside by Lord Carnarvon?

SIR GEORGE CAMPBELL wished also to ask a Question in regard to the payment of the Indian troops employed in the Perak Expedition. It was acknowledged that the extra expenses caused by the removal of those troops would have to be charged either to the colony or the mother country; but he would like to know, Whether the Government intended to move an Estimate not only for the extraordinary charges of the Expedition, but also for the ordinary pay and allowances of the soldiers during the period they were employed beyond the Indian territory? If not, it would be a clear case of the Indian Treasury being charged with the expenses of the troops while on foreign service.

Sir MICHAEL HICKS-BEACH said, that if the hon. Baronet the Member for Kirkcaldy (Sir George Campbell) had given Notice of his Question with reference to the payment of the Indian troops, he should have been able to give him a definite answer. He might, however, say that the financial control of the House would ultimately be complete over any expenditure on account of the Indian troops in question, though there had been considerable delay, owing to the difficulty of settling the accounts between the different parties concerned. No doubt, pending that settlement, there had been a charge of £40,000 upon the revenues of India. He did not understand the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) to raise the general question of Perak or the history of the war, but rather to ask a Question with regard to the relations between the British Resident at Perak and the Native Rulers. A greater responsibility, of course, attached to Residents than that of merely advising Native rulers, and that responsibility had been clearly pointed out by his noble Predecessor. In Perak the position was one of some little difficulty, but the duties attending it seemed to have been performed successfully.

LAND TAXATION.

RESOLUTION.

Mr. O'DONNELL, on rising to move—

> "That, in the opinion of this House, the present system of Land Taxation is inequitable, and requires to be amended,"

said, the land tax appeared to be an extremely valuable contribution to the public revenues, for it purported to be assessed at the rate of 4*s.* in the pound on the yearly value of lands, tenements, and hereditaments throughout Great Britain. The lands throughout this country, as the House was aware, were all originally held on certain tenures from the Crown, and the idea of actual property in land was an idea which had only sprung up comparatively recently. The primary idea of landholding was a trust and enjoyment of certain benefits on condition of performing that trust. The landowner held lands on condition of supplying men and arms for the Public Service for the defence of the country. The original signification and purport of what was now called the land tax was to provide for the Military Estimates of the Kingdom by various forms of knight service. By the Restoration Parliament, however, all the old knight tenures and military burdens upon land were swept away. After the Restoration the relief of land from taxation laid the foundation of the whole of that system of taxing commodities which rose to such an enormous height during the 18th and a portion of the 19th centuries. When the Revolution resulted in setting William and Mary upon the Throne in the year 1692, there was a new arrangement. The landed gentry were somewhat at a discount at that period. They generally espoused the cause of the exiled Sovereigns, and owing to the pressing necessities of the new Government, recourse was at once had to the historical methods of raising taxes, and thus a land tax to the amount of 4*s.* in the pound was imposed. Under the Act of William and Mary the yearly value was returned at £2,000,000, in round numbers; more than 100 years afterwards, in 1798, when another change took place, notwithstanding the immense increase in the value of land, the Return was principally the same as it was in 1690. The landed gentry were still largely actuated by feelings of loyalty to the exiled house, and were probably objects of greater suspicion than Irish tenant-righters of the present day. Sir Robert Walpole, therefore, thought it necessary to instil feelings of loyalty by a system very nearly tantamount to bribery. Under the powers granted by the Act of George III., about half of the land tax existing at the end of the last century had been redeemed, and he admitted that that fact threw some difficulty in the way of a re-adjustment of land taxation. If they looked at the yearly value of lands, tenements, and hereditaments, they could easily arrive at some knowledge of the great inequalities of the land taxation. In Surrey the nominal tax of 4*s.* in the pound upon the full actual value of the lands really amounted to 7⅛*d.* in the pound. In Yorkshire it amounted to 7½*d.* in the pound; in Middlesex it realized 1⅜*d.* in the pound; in Lancashire only ⅛*d.* in the pound; in Bedfordshire 4¾*d.* in the pound; in Berks, 3½*d.*; and in Bucks, 3 1-16*d.* If the full rate of 4*s.* were levied it would bring in £26,000,000, and yet it now only produced £1,000,000 per annum. There was the greatest possible difference in the incidence of the tax throughout the different counties in Great Britain, and if the Government were to do nothing more than introduce some equalization of the incidence of the tax—if they were only to make a 3*d.* or a 6*d.* tax all round —it would abolish what was only a farcical contribution to the Imperial Revenues. He had no doubt whatever that the reform of the land tax in this country and the simplification of the whole system of raising Revenue were questions that would have to be faced, if not by a Conservative, certainly by a Liberal Administration. The taxation on land still bore on its face the impress of the process which was had recourse to in olden time for the purpose of reconciling the landholding class to important constitutional changes. It was time to relieve the public burdens from the evils which they suffered owing to the bribing of Jacobite gentlemen into accepting the Hanoverian dynasty.

MR. O'CLERY seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the present system of Land Taxation is inequitable, and requires to be amended,"—(*Mr. O'Donnell,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

THE CHANCELLOR OF THE EXCHEQUER said, the Motion covered a much larger ground than the speech in which it was introduced. The Motion had reference to the present system of land taxation, whereas the speech was entirely confined to the land tax, and he did not know whether it was even reasonable to call the land tax a part of their present system of land taxation. If, however, it were reckoned a part, it certainly constituted only a very small part of the system, and it would be perfectly impossible to discuss the question of the land taxation of this country on the exceedingly narrow basis suggested by the land tax. With regard to the land tax, he did not think it desirable to go into the historical arguments which the hon. Member had suggested to the House. The effect of all the proceedings, taken together, was that the land tax, as a source of taxation, was, in point of fact, abolished by the change which was made by Mr. Pitt, when it became no longer a tax, but a rent-charge upon the land. For the last century, or nearly so, land had changed hands subject to that burden. About the time Mr. Pitt dealt in this way with the land tax, he instituted a different system of taxing landed and other property by the introduction of the property and income tax. In treating of the taxation of land, they must consider the burden of taxation which fell upon land through the instrumentality of that which was really a tax—namely, the income tax, in as far as it fell upon landed property. That, however, would lead them into a very wide field, into which they ought not to be tempted to enter by a speech which was confined to the land tax. With regard to the land tax itself, he believed there was nothing to be done except to leave it as it was; but if it were changed, some system of compulsory redemption ought to be applied to it, so as to extinguish it altogether, and then the matter might be dealt with *de novo.* But to re-arrange the land tax, and to bring about what the hon. Member for Dungarvan had termed an equitable adjustment of the tax, in relation to its charge upon one class of the country and upon another, would be quite impossible, and would itself lead to inequitable consequences.

MR. PARNELL denied that it was Mr. Pitt's intention to convert the land tax into a rent-charge, and hoped that next Session the hon. Member for Dungarvan (Mr. O'Donnell) would have an opportunity on the Budget of going more fully and clearly into his views upon the question of land taxation.

Mr. O'DONNELL expressed a wish to withdraw his Amendment, announcing, at the same time, his intention to bring the whole subject forward again next Session.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

Class I.—Public Works and Buildings.

(1.) £28,416, to complete the sum for Royal Palaces.

Sir CHARLES W. DILKE pointed out that the Vote contained an item of £693—which was a slight increase on the Vote of the previous year—for the Hampton Court Stud House, and Paddocks and Buildings in Hampton Court Park appropriated to the stud establishment. He understood that these paddocks were formerly part of Hampton Court Park, and were inclosed for the purposes of the stud establishment. These inclosures had gone on from year to year, and had been steadily increasing. In 1872, at a time when Mr. Ayrton was First Commissioner of Works, a Return was laid before the House of the lodges, houses, official residences, rights of pasture, &c., occupied, or enjoyed, within the parks under the charge of the Commissioners of Public Works. In that Return, Hampton Court was entered as Hampton Court Park, and, he presumed, a Vote for its maintenance as a park would be proposed in connection with the Parks' Vote, notwithstanding that a considerable sum was asked for in the Vote now before the Committee. At the time to which he was referring, it was decided, as he believed, that the Master of the Horse was to be charged a rent for the use of the paddocks, and that he was also to pay for the herbage and grazing rights in the park. He wished to know, whether the conditions of the occupation had been so arranged as that the Master of the Horse did so pay as determined?

Mr. GERARD NOEL replied, that the present Vote was for the maintenance, and that Hampton Court Palace had nothing to do with the park. There was a slight excess this year over last, and that was due chiefly to a fact which he stated when laying a Supplementary Estimate before the Committee—dry rot having found its way into the palace, considerable painting and structural repairs had been rendered necessary. With regard to the park, an arrangement was made about a year ago, under which the Master of the Horse paid a rent on account of the matters alluded to by the hon. Baronet. It was found very difficult to fix the amount, and the matter had been very carefully considered. First of all, the Master of the Horse had to pay for hay for the deer; he had also to pay a keeper, to pay for a horse and cart, and everything, in fact, connected with the keeping and feeding of the deer. Owing to the fact that there were a very great number of trees in the park, the herbage was not so good as might be expected; but the Commissioners had taken for their guidance the somewhat similar case of Bushey Park, and the Master of the Horse had agreed to pay the same rent in proportion to the acreage that he paid for Bushey Park.

Vote *agreed to.*

(2.) £4,950, to complete the sum for Marlborough House.

Mr. ADAM asked, whether this Vote would complete all that was necessary to be done at Marlborough House?

Mr. GERARD NOEL said, he was happy to inform the right hon. Gentleman that this was the last Vote at all likely to be required for the completion of Marlborough House. On examination, it was found that the sanitary arrangements in the residence of His Royal Highness the Prince of Wales were about as bad as they could be, and it had, therefore, been found necessary to make extensive alterations; but he believed no further sanitary arrangements would be required.

Vote *agreed to.*

(3.) £24,723, to complete the sum for Houses of Parliament Buildings.

Sir CHARLES W. DILKE said, he understood that this Vote included a grant for the restoration of St. Margaret's Church. He was sorry that his hon. Friend the Member for the University of Cambridge (Mr. Beresford

Hope) was not in his place, as he would have had something to say on that matter. The works being done at St. Margaret's Church were a dreadful example of how very often old buildings might be ruined and destroyed by what was called restoration.

MR. GERARD NOEL said, the hon. Baronet was in error. The Vote for St. Margaret's Church was granted last year.

Vote *agreed to.*

(4.) £97,608, to complete the sum for Public Buildings.

MR. BAILLIE COCHRANE wished to know, whether it was the intention of Her Majesty's Government to carry out the recommendations of the Select Committee on Public Buildings, of which the right hon. Gentleman opposite (Mr. Adam) was a Member? It was a disgrace to the country that our public buildings should continue in their present state, and that there should be no great buildings erected for the War Office and the Admiralty. A late Secretary for War stated on one occasion that he could not possibly continue to carry on his business in the Office, unless it was altered; and here, again, the Vote came before the Committee, without any statement being made as to the intentions of the Government to carry out the recommendations of the Committee to which he had referred. There was no reason why, in a great country like this, because there was a political crisis abroad, and England had found it necessary, in consequence, to spend a large sum of money, the Government was not to carry out certain recommendations made on the highest authority, and in the belief that they were necessary for the well-being of the Public Service and the dignity of the country. He found in the Vote an item of £36,000 a-year for the rent of hired offices, scattered all over London. There were some 15 houses hired for the use of the War Office alone, and other Departments were housed in the same way. The Committee, over which he presided, went fully and fairly into the whole question. There were different opinions in the Committee on certain points, mainly connected with the plans; but on one point the Members were unanimous—namely, that 12 months ought not to be allowed to elapse before something was done to improve the Public Offices; but a considerable time had already passed, and nothing had been done. As far as he could see, Parliament would rise about the usual time; another Session would have passed, and nothing would have been done. He wanted to know, whether this state of things was to continue? The Chancellor of the Exchequer and the then Secretary to the Treasury—now First Lord of the Admiralty — were most anxious that some steps should be taken, and were keenly alive to the fact that by delay an enormous increase in the ultimate expenditure would be incurred. The buildings that it would be necessary to buy for the erection of the new Public Offices were increasing in value, and the knowledge that they would, at some time or other, have to be bought was inducing their present owners and occupiers to spend money on them, with a view to increased compensation. What was the case in France last year? The House well knew what the French nation had had to pay within the last year in the shape of war indemnity to Germany, and for her own charges and losses in connection with the war, yet the French Chamber last year voted £5,000,000 sterling for the improvement of Paris, and the Municipality of Paris voted another £2,000,000. In this country, however, Parliament would not vote £1,500,000 or £2,000,000, at most, in order that the War and Admiralty Departments might be properly housed, and Parliament Street, which, in its present state, was a disgrace to the country, be widened, so as to give a proper and adequate approach to the Houses of Parliament. He appealed to the right hon. Gentleman for an assurance that the Session should not be allowed to pass without something being done to carry out the recommendations of the Select Committee.

SIR ANDREW LUSK said, that since he had had a seat in that House they had spent a great deal of money in building new and increasing and improving old Public Offices; but he failed to see any corresponding decrease in the expense of those Departments. He feared that if the hon. Gentleman the Member for the Isle of Wight had his way, and large new offices were built, the old ones would be kept on, and there would be an increase of expense, rather than a saving of public money.

Sir HENRY SELWIN-IBBETSON said, he regretted that his right hon. Friend the Chancellor of the Exchequer was not present, as he had, on a previous occasion, stated some very cogent reasons against acting upon the scheme propounded by his hon. Friend the Member for the Isle of Wight (Mr. Baillie Cochrane), and which he seemed to have very much at heart. He did not think it could be said that the Government had ever accepted the site which the hon. Member referred to as being the only one which was possible for carrying out this work. There were as many as three sites under the consideration of the Government, and Papers on the subject had been before him in reference to the matter ever since he had had the honour of holding his present Office. In the interest of the Public Service, he thought the site suggested by his hon. Friend was not the one best suited for the purpose.

Mr. BAILLIE COCHRANE said, he had recommended no site. The site to which he referred was the one which the Government had chosen, and was not the one which he should have himself preferred.

Sir HENRY SELWIN-IBBETSON repeated, that the Government had decided upon no site at all. At the present moment they had before them three different sites, the advantages of which varied very considerably. He had concluded that the site which the hon. Member meant, was the one opposite to the new block of official buildings, inasmuch as he mentioned among its advantages the widening of Parliament Street. In his judgment, it would not be to the interest of the Public Service, and it certainly would not be to the interest of the public purse, that the site in question should be adopted. However much there might be of advantage in getting all the Public Offices concentrated in large blocks of building, this was not, perhaps, the time at which the country was financially prepared to enter upon a very large outlay for a work of that kind. The position of things was different from that which existed at the time when the Committee first sat to consider the matter. The War Office had been considerably improved by the purchase and addition to it of Winchester House and certain other buildings; and he doubted very much whether the noble Lord the present Secretary of State for India and former Minister for War would now think it so necessary as he once did to have a new War Office erected. It might be advantageous eventually to bring the whole of the War Office departments together on one site, and at a time when the country was in a position to undertake such a work, the improvement might be carried out, and the whole of the Public Offices concentrated. The answer which his right hon. Friend gave the other evening with regard to financial difficulties was the real reason which had caused the hesitation of the Government and the Treasury as to a decision upon the recommendations of the Committee, and the plans involved therein.

Mr. ADAM admitted that the financial difficulty to which the hon. Baronet had referred was one which called for careful consideration. Ths plan was a very serious undertaking, and in the present state of the finances of the country, it might not be advisable to press the Government too strongly to carry out the recommendations which had been laid before them; but, at the same time, he hoped they would not lose sight of the matter, and would, as soon as possible, take it actively in hand. The expense now incurred in renting a large number of houses all over the town for use as temporary offices, and which would be saved by the erection of permanent ones, would go far towards paying the cost of a great many of the improvements. He wished to know whether any decision had been come to in reference to finishing or erecting the corner towers on the new building in Whitehall? The Committee would remember that the original plan of the late Sir Gilbert Scott included some very handsome cupola towers, which would have very considerably improved the appearance of the building. They would, without doubt, cost a great deal of money in the erection. He would like to know whether it was intended to build them; and, if not, how the corners were to be finished, for at present they were far from being strikingly handsome? He should also like to know whether the sum of £3,000 included in the Estimate for supplying water from Orange Street to the new Law Courts and to Somerset House would cover the whole expense; and, whether there was sufficient water in the wells to supply the other large public buildings? He supposed the Law Courts were hardly in a sufficient stage of advancement to require much water at present.

Mr. GERARD NOEL said, he thought the towers to which the right hon. Gentleman had alluded were not approved; but were, in fact, condemned by one of his Predecessors in Office. Since then Sir Gilbert Scott produced some other plans and designs; but they also were considered unsatisfactory, and at the present moment he could not give any promise of the corners being completed. With regard to the water supply, as far as he was informed, the £3,000 asked for would be amply sufficient to provide all the necessary requirements. Most of the Public Offices were already supplied from Orange Street; but in order to meet any extra demands that might arise, the well had been deepened, and nothing more would be necessary to be done.

Mr. RYLANDS said, he was glad to hear that the Government were not prepared, at the present time, to enter upon a large and costly scheme for the erection of public buildings. The sum paid at present for the rent of temporary public offices seemed to him very large; but he supposed a portion of it would be saved when the Law Courts were completed, as doubtless some of the Departments might be accommodated there. A considerable economy might be effected by a careful scrutiny of the rents paid for hired buildings. It must be very well known that there were several Departments, the business of which was carried on in hired buildings whose work was of the most trifling character. For instance, £421 a-year were paid for an office for the Department of the Lord Privy Seal, who did nothing that could not be just as well done in a small room that could easily be spared in one of the Houses of Parliament, or in one of the existing Public Offices. He said this entirely apart from the fact that the holder of the Office was a distinguished sinecurist, and simply because the country was paying a large annual sum for the rent of an office in which absolutely nothing was done. Then, again, he found that the country was paying £310 a-year as the rent of 31, Lincoln's Inn Fields for a Land Registry Office, in which, practically, nothing was done. It might, however, be necessary in these two cases, and in the cases of other public Departments where little or no work was done that they should each have a local habitation. He was, however, prepared to mention to the Secretary to the Treasury, and also to the right hon. Gentleman the First Commissioner, where they could find ample accommodation for those offices. He believed that at the top of the Houses of Parliament there were a number of rooms over the Committee Rooms, and those rooms were not occupied for any purpose at all; why should not those rooms be turned to some public service? There was no reason why they should not be made use of in place of offices in which there was very little business done. Why should not the Lord Privy Seal go there, and they would be saved £420 per annum, and he would be still further exalted? And why should not the Land Registry people go there too? There were many rooms in the Houses of Parliament, which, he understood, had never been utilized that might be used for the Public Service, and he believed if his hon. Friend the Secretary to the Treasury would give his attention to the matter, he might find suitable accommodation for the purposes of such public offices as were wanted. He ventured to throw out that suggestion to the hon. Gentleman, by which he believed £2,000 or £3,000 per annum could be saved by utilizing the empty rooms at the top of the Houses of Parliament.

Mr. GREGORY said, he thought, as the result of some professional experience in connection with the acquisition of land, that it would be most unwise on the part of the Government to disclose the sites on which they had decided to erect public buildings. The proper course with a view to economy was gradually and silently to buy up the interests of persons owning or holding property which they might require, and then announce the use to which they intended to put it. By this means they would get what they wanted on reasonable terms; but if they stated beforehand what property they wanted, and for what purpose, the property would suddenly rise by, perhaps, 50 per cent in price. When they came to the Vote for the Law Courts, he hoped his right hon. Friend would be able to give some account of the progress that was being made with the works. If he was rightly informed, it would not be very long before the offices in connection with the Courts of Law which now occupied hired buildings would be removed into the rooms intended for them in the New Law Courts, that portion of the building being rapidly pushed forward. The contractor had laboured under most peculiar difficulties in consequence of strikes and other matters; but notwithstanding that he had done work which reflected great credit upon him, and had on the whole made very satisfactory progress.

Mr. E. JENKINS was surprised when he heard that the Government had not yet fixed upon a site for carrying out the recommendations of the Select Committee to which reference had been made. It seemed curious that while taking a credit of £6,000,000 for warlike purposes, they could not afford £1,000,000 or £2,000,000 for a more peaceful and more useful object. The hon. Gentleman who made the statement must know perfectly well that notices to treat were served upon the occupiers and owners of the property between Great George Street and the Government buildings already erected in Whitehall, and between Queen Street and the Park. In one case, he believed, the Government actually took possession of one block of buildings, and he certainly could not reconcile these facts with the statement of the hon. Baronet. There were other two items in the Estimate which required explanation; one was a sum of £935 for adapting additional rooms at South Kensington for the National Portrait Gallery, and the other was a sum of £1,500 in connection with the Southern Galleries there. It was a curious fact that South Kensington appeared in some form or other in almost every Vote. The people connected with that institution managed to get hold of public money in almost every direction; and he thought it would be as well if all the money expended on that institution could be set forth in a concentrated form, so that the confusion which now existed could be unravelled. It was not at all clear that the £1,500, for instance, was not intended for the purpose of some exhibition for which Parliamentary sanction had not been obtained; or for some purpose connected with the Horticultural Gardens, or, indeed, for any other innominate purpose.

Mr. GERARD NOEL, in answer to the hon. Member for Burnley (Mr. Rylands), said, the questions relating to the Office of the Lord Privy Seal were too large to be discussed now, even if the occasion was an appropriate one, which it was not. He had no knowledge of the suite of rooms over the Committee Rooms, to which the hon. Member had referred. In any case, he did not see how rooms in such a position could be applied to the Public Service—at any rate in the manner suggested. The sum of £1,500 was not a new Vote, but had been paid for many years, as rent for rooms used in the course of the Civil Service examinations, and also in connection with the Science and Art Department, and for other purposes. The £935 would be used for the purpose of effecting the much-needed improvements in the National Portrait Gallery.

Mr. BAILLIE COCHRANE did not think the sum set apart for the National Portrait Gallery was sufficient to make any substantial improvement in a gallery for the accommodation of some £70,000 worth of most valuable historical paintings.

Mr. DILLWYN wished to have a distinct statement as to whether it was or was not intended to erect the new Public Offices.

Sir HENRY SELWIN-IBBETSON said, he was afraid there was no intention, for the reasons he had already stated, to proceed at present.

Mr. DILLWYN complained that, with regard to the Estimates generally, and with regard to these public buildings in particular, the Government did not take the Committee sufficiently into its confidence. Parliament found small items creeping into the Estimates, and they went on increasing from year to year without proper explanation, until they mounted up, in course of time, into very large sums indeed. When the Government proposed to erect new Public Offices, Museums, or anything else of that description, they should give the House as complete information on the subject as they possibly could, and not keep on tacking on bit by bit, and adding year by year, to the Estimates. When the latter course was followed, hon. Members not unnaturally cavilled, and looked much more closely at the Estimates than they would otherwise do. It was within his own knowledge that, from small beginnings, very bulky Estimates had frequently resulted. In the present instance, he should like to know what it was the Government really contemplated. Was it intended to complete or to commence certain buildings this year or not?

THE CHANCELLOR OF THE EXCHEQUER: I am not quite sure that I clearly understand what the scope of the hon. Gentleman's question is. I understood him to be speaking partly of any great plan for the re-construction of Public Offices, and partly of enlargements, from time to time, of existing buildings. With regard to the re-construction and re-organization of large blocks of buildings devoted to the Public Service, I entirely agree with him. I think that the Government ought to bring any plan of that sort before the House in such a shape that the House might be able to form a judgment as to its whole scope, and as to what its probable cost might be; and that, I will undertake to say, the present Government would be ready to promise. In reference to temporary, or rather occasional additions, to existing offices, that is a matter which must really be left to our judgment as the necessity may, from time to time, arise. Sometimes additions are made to collections in a Museum, which require that more room should be provided; sometimes it is found that a Department enlarges, and it is necessary to secure accommodation for extra clerks, or something of that kind; and, in these and other ways, additions have to be made from time to time, and those additions can only be brought forward as they are felt to be required. But with regard to any great scheme, such as that which, for several years now, has been more or less talked about, I quite concur with the hon. Gentleman that, whenever the Government are in a position to see their way to a conclusion as to what should be done, and are prepared to proceed with any particular scheme, they ought to come to the House, lay the plans upon the Table, and take the opinion of the House upon those plans before commencing work. I stated some little time ago, with regard to the War Office and the Admiralty, to which reference has so often been made, that we do not consider the present year to be a favourable one for undertaking a large expenditure on public buildings; and, therefore, although undoubtedly those offices are being carried on at some inconvenience, and although it is certainly desirable that before very long something should be done to provide more suitable accommodation—I do not think that we are actually in a position to make any proposal with regard to them at the present moment. But certain proposals have been under our consideration; and, when the proper time arrives, it will be our endeavour to adopt that plan, which, in our opinion, and in the opinion of the House, most combines efficiency with economy.

LORD FRANCIS HERVEY said, he had been pleased to hear the statement of the right hon. Gentleman the First Commissioner of Works, that the improvements on the National Portrait Gallery would now be proceeded with. He should have experienced still more satisfaction in listening to the answer of the right hon. Gentleman, in reply to the question which had been addressed to him on that subject, had he not remembered that at the beginning of the Session, a precisely similar reply had been given to the hon. Member for the University of Cambridge (Mr. Beresford Hope) by the right hon. and gallant Gentleman who was now Secretary of State for War, but who was at that time Secretary to the Treasury (Colonel Stanley). The right hon. and gallant Member had told his hon. Friend that the improvements on the National Portrait Gallery would be proceeded with immediately. Some months had passed since then, but nothing had been done; and, in these circumstances, he must express the hope that the "immediately" of the First Commissioner of Works would mean something more immediate and prompt than it had done in the case of the right hon. and gallant Gentleman. He observed that there was a sum for the National Gallery included in the Vote which was now before the Committee; and therefore he must express another hope, and that was that the hon. Gentleman would see his way towards keeping that Gallery open for a longer period during the summer months. There was a large number of persons, belonging to the mercantile and professional classes, who were practically debarred, at present, from the privilege of inspecting its large and interesting collections, because the time for closing the Gallery was fixed at what seemed to him an unnecessarily early hour. The National Gallery was a public institution which should be rendered more available during the summer evenings to those who, by their avocations, were precluded from visiting it in the course of the day. With reference to the Government Offices, of which mention had been made, he sincerely trusted that if the Government were really going to take that matter in hand, there would not be a repetition of the scandals which had arisen in connection with the Home Office, the Local Government Board Office, and other Offices. What advantage would be gained by transferring the War Office to new buildings if, when the new buildings were obtained, it was found that they were as ill-drained, as ill-ventilated, and as unsuitable in the matter of accommodation as the premises which had been left behind? He hoped that the House would be taken into the confidence of the Government on this subject; and that due opportunity would be given to it of examining the plans, of overhauling the work of the architects, and of securing for the Public Service some more healthy and suitable accommodation than those eminent men who designed public buildings seemed sometimes inclined to provide. He would say nothing of the sham architecture which hon. Members saw as they came down to the House, of the five-storeyed building which pretended to have but three storeys, or of the false architectural proportions by which the upper and lower floors had been completely sacrificed to the grand tier.

Mr. GERARD NOEL said, he could assure the noble Lord that there had been no unnecessary delay in connection with the National Portrait Gallery. With regard to the hours during which the National Gallery should be kept open, that was a matter with which he had nothing to do.

Mr. RYLANDS thought the noble Lord had made observations which were well worthy of the attention of the Government; but if the noble Lord supposed for a moment that Government Departments thought they could be mistaken, or that they believed Parliament could in any way assist them, he must have been somewhat unobservant of their general course of action. Government Departments, and the permanent officials of those Departments, always acted upon the idea that they knew better than anybody else what was good for everybody all over the Kingdom. What was the result? The noble Lord had called attention to the gross public scandals that had arisen in connection with important buildings which had been erected at an enormous expense, under the control of Public Departments, but which had become pestilential spots in consequence of the want of proper arrangements and the neglect of ordinary sanitary precautions. But under the Vote which the Committee were now asked to pass, there was an item of £2,000 for Broadmoor Asylum. That sum was asked for in connection with a building which was only erected some 15 years ago; but which, he understood, had been already condemned as a "White Elephant," which the Government must get rid of in some way. The Government, he believed, contemplated pulling it down; but that, and other charges of a similar nature, were constantly cropping up in relation to buildings which were found to be altogether unsuitable for the purposes for which they had been reared. He alluded to this for the purpose of remarking that when the Government Departments, and their permanent officials, were so often making such serious blunders, they ought not to arrogate to themselves immunity from error.

Mr. BERESFORD HOPE said, he believed that some criticism had been passed upon the work which had been performed in connection with St. Margaret's Church. He thought it only right to say, out of regard to the very eminent architect under whom that work had been carried out, that the result of his labours had been a very careful and accurate revival of the building as it had appeared in the age of Henry VIII.

Mr. DILLWYN said, that before the Vote was passed he should like to have some explanation with respect to the item of Ordnance Survey Maintenance Offices. In that item he observed a considerable increase. Last year the amount was £1,050; this year it was £2,520. If that increase had been made in consequence of a pushing on of the work, he should have no complaint to make; but he had heard objections in many quarters that the completion of the Survey had already been too long delayed. He did not know how the additional accommodation which was represented by the increase in the Vote was likely to advance the rate at which the work would be proceeded with; and, certainly, if that increase had merely the effect of rendering those who were engaged in the work more comfortable, the result, he was afraid, would be still greater delay in its completion.

MR. GERARD NOEL said, the increase to which the hon. Member referred had arisen from the absolute necessity of increased accommodation.

Vote *agreed to.*

(5.) £11,650, to complete the sum for Furniture of Public Offices.

(6.) £141,045, to complete the sum for the Revenue Department Buildings, Great Britain.

(7.) £33,330, to complete the sum for County Court Buildings.

MR. E. JENKINS said, he found in connection with this Vote, another instance of that which was constantly occurring throughout the Estimates. He observed that the Liverpool County Court had been estimated to cost £32,000; but now the figure was £40,000. That was what generally happened. A certain sum was mentioned originally, and this sum was relied on; but the architect afterwards came forward with an increased Estimate, and the House looked at it, and passed it. He should like to know whether, in this particular case, the increased Estimate of £40,000 was likely to cover all the expenditure?

MR. GERARD NOEL said, the explanation of the increase which had taken place was very simple. The building referred to had been originally intended simply for the purposes of a County Court; but, in addition to the business of such a Court, it would now be devoted also to Registration and Inland Revenue purposes.

Vote *agreed to.*

(8.) £11,534, to complete the sum for the Metropolitan Police Court Buildings.

MR. RYLANDS said, he should like to have an assurance that the Estimate, as a whole, would not be exceeded. He had great doubts as to whether these grants ought to be made to the Metropolitan Police Courts at all. In the provinces such charges were borne by the local authorities; and he did not see why such should not be the case in London. In one particular case, that of Bow Street, a new building had been but recently commenced; and he recollected that last year a Vote on account was proposed in connection with the expenditure which its erection would probably necessitate. At that time he objected, because the House had not been furnised with an Estimate of the total amount that would be required, and the Government were good enough to postpone the Vote in consequence. But, then, the ordinary course of things happened. The Vote was adjourned for some time; and he remembered being told by one of the police magistrates that great inconvenience was being caused in consequence of the uncertainty which existed as to whether the Vote would be proceeded with or not. At the end of the Session, however, when it was impossible to give proper attention to the question, the Vote was passed. He was not sure whether hon. Members who were interested in the matter were present on that occasion—at all events, a Vote which had been hung up for some months was taken at a time, when, necessarily, it could not be considered in such a way as its importance demanded. He could not say that he was prepared to state, upon recollection, whether before that Vote on account was brought forward, there was an Estimate laid on the Table of the House as to the total sum which would be required; but he presumed, and took for granted, that there was. But, whether that were so, or not, he desired to ask the right hon. Gentleman the First Commissioner of Works, whether he could give a positive assurance that the Estimate of £30,000 for Bow Street would cover the cost, or whether it would become £35,000, £40,000, or £50,000?

MR. GERARD NOEL said, the hon. Gentleman was perfectly right. Last year there was no time for the preparation of a formal Estimate in connection with Bow Street, and the Vote was withdrawn; but a general Estimate was made, and he had great hopes that that general Estimate would not be exceeded. It was impossible, however, to give the hon. Gentleman an absolute assurance on the matter; but the Estimate had been framed in the most careful manner.

Vote *agreed to.*

(9.) £90,300, to complete the sum for the New Courts of Justices and Offices.

Mr. ADAM asked the right hon. Gentleman the First Commissioner of Works, Whether he could give any information to the Committee as to the progress of the buildings?

Mr. GERARD NOEL said, that the works ought to have been completed on the 1st of December last, even giving an allowance to the extent of three months, which was allowed by the strike clauses in the contract; but, he was sorry to say, that, in consequence of the masons' strike, they had not progressed in a satisfactory manner during that month and the months of January and February. Since the contractors had obtained foreign labour, however, considerable progress had been made; and he hoped that by the end of September or October the eastern portion of the buildings would be opened.

Vote *agreed to.*

(10.) £100,200, to complete the sum for the Survey of the United Kingdom.

Sir WALTER B. BARTTELOT said, he desired to ask his right hon. Friend the First Commissioner of Works, a question on the subject to which the Vote referred. It had been stated in that House about a fortnight ago, that it would be 18 years before the Survey was finished; and when that statement was made there was a general feeling on the part of hon. Members that the work ought to be completed as soon as possible. He now wished to ask his right hon. Friend, whether he had had any communication with the Treasury on the subject; and, whether there was any hope or prospect of the Survey being brought to a conclusion with greater rapidity? Nothing could be of more importance to the country than that the Survey should be completed without delay. He could speak without any prejudice on the matter; because the whole of his own county had been surveyed, and he was only anxious that others who had not been so fortunate should have their counties surveyed as well. This was one of those works which ought to be pressed forward; and he was sure that the Committee would agree to any recommendation which the Government might bring forward for bringing the Survey to a speedy termination.

Mr. GERARD NOEL thought he might say that the Survey of the United Kingdom was going on satisfactorily, so far as the sum voted by Parliament would permit. Up to a certain point the experience of the Director of the Survey had been based on what had been done in the Northern parts of England, which were purely agricultural counties; but, when he came to the Midland district, where there were coal, iron, and large towns and villages, the difficulties to contend with were much greater, and the Survey had not, perhaps, been as rapid as might have been anticipated. He might state that 13 counties in England had now been surveyed; that 17 others were in process of being surveyed; and that all Scotland and the greater part, if not the whole, of Ireland had also been surveyed. He had communicated a short time ago with the Director of the Survey, and had asked him whether, in the event of the Parliamentary grant being doubled, he could finish the work in from five to ten years. The gentleman to whom he referred had replied that he did not think it would be possible to complete the Survey of England and Wales in that time, inasmuch as a sufficient number of eligible men could not be secured for the purpose, and that even if the grant were largely increased the Survey, in all probability, would still take 12 or 14 years.

Sir ANDREW LUSK remarked that questions and answers on this subject were becoming tiresome. The right hon. Gentleman the First Commissioner of Works had just made a statement precisely similar to that which he remembered hearing in the House 14 years ago. Every year the Government were asked—"How is the Ordnance Survey getting on?" and the reply was —"Oh! we are getting on as well as can be expected." To all those who were really interested in this matter the delay which had taken place with the Survey was most disappointing; and, so far as he was concerned, he should like to know on what principle the work was being carried out. Any little land which he possessed had been surveyed twice during recent years. Having gone over it once, the surveyors had put up a pole with a flag on it; and had not come back until after the lapse of four years. Why was it that the survey was not in some way facilitated? If one of the well-conducted railway companies desired to examine a district, and to bring the results before Parliament, they would go over an enormous amount of ground in a very short time, and, having done so, they would come to the Legislature with very accurate plans and specifications. But in this matter of the survey the result was the same year after year; and, if matters went on as they had been doing, the result of the whole work would be of comparatively little use, for, by the time the survey would be finished, almost a new generation would have sprung up, and almost everything would have materially changed.

MR. MORGAN LLOYD said, there were, no doubt, vested interests connected with this survey question which it was somewhat difficult to get rid of; but, from information which he had received from other quarters, he did not think there was any real foundation for the difficulties which appeared to have been suggested by the gentleman who was at the head of the work. The present staff might be insufficient; but it might easily be increased if money were forthcoming to pay for additional men. Hon. Members must know that, at the present time, the number of engineers and surveyors in this country was excessive. There were many such men who were employed only half their time and at unremunerative rates; and all that was required was to get some of those men—skilled and trained—to assist in the work. There was nothing magical in the Ordnance Survey, as compared with surveys made for landowners and railway companies. The present Ordnance Survey on the large scale was, in appearance, like an ordinary estate survey. There might be some little difficulty, no doubt, in the mountainous districts; but those districts were limited in extent. There would be no difficulty whatever as regarded the portions of England that were not mountainous; and, by employing other surveyors to help with the work, the survey might be completed within a reasonable time. If it was worth doing at all, it ought to be done quickly. If it was of value to the country, the sooner it was done the better. Why should future generations alone have the benefit of it?

Vote *agreed to.*

(11.) £11,509, to complete the sum for the Science and Art Department Buildings.

MR. E. JENKINS said, he observed that it was proposed under the Vote to take an addition of £1,000 for the enlargement of a sketch by Mr. Leighton. He should like to know what the sketch was? Was it a sketch of the plans of the new buildings which had not been estimated for, or was it a sketch upon the walls of the interior? Again, there was an item for "works and internal decorations;" but this was only another instance of the fact that the Estimates had been so manipulated that hon. Members were not really able to find out how the money which they were asked to vote was expended. That might seem a strong statement to make; but he could prove it. There were items for "works and internal decorations," for "schools," for "ordinary maintenance and repairs;" and, further on, there was a very large Vote taken in connection with the South Kensington Museum—for artizans, for labourers, for repairs, and for incidental expenses of various kinds, all of which might be included under the same head, and in reference to which, undoubtedly, persons were employed. But the Estimates were so presented that it was almost impossible to separate the different items, and to ascertain exactly what amount was expended in this or that direction. Money was voted under the general heads, "Repairs," "Artizans," "Students," &c.; but Parliament was not furnished with any detailed information on the subject. Whether intentionally or not the science of bungling statistics, and of deceiving people by so bungling them, had been carried to perfection in connection with South Kensington Museum; and it was full time that the Committee should make a stand against the way in which these accounts were presented to the House. There were various Departments which appeared to be over-lapping each other in the most extraordinary manner; and at the present time it was impossible exactly to define how much money went to the Science and Art Department, how much to South Kensington, and how much to other bodies who had a temporary or permanent resting-place in that focus of genius.

Mr. GERARD NOEL said, the sketch by Mr. Leighton, to which the hon. Member had referred, was not a design of the buildings, but a picture for which a Vote had already been passed in the House. The picture was to be seen in one of the Central Halls, and was, if he might so express it, in continuation of another piece of decoration which had also been already sanctioned. About £1,025 had been expended in works of internal decoration; and £125 remained to be applied to the embellishment of the Refreshment Room, the South Court, and the Lecture Hall. With regard to the other remarks of the hon. Member, he hoped to be able to give him a satisfactory explanation when a subsequent Vote was reached.

Mr. DILLWYN said, he was glad that the hon. Member for Dundee had called attention to this Estimate on the present occasion. He had often heard discussions upon it; and he was not surprised that these discussions had taken place. South Kensington did not appear to be governed by the same rules which were in operation in other establishments of a similar nature. There were payments for sketches by Mr. Leighton, and for so-called decorations; but, if really good decorations were wanted, why not employ proper professional men to do the work, as was done in the British Museum, the National Gallery, and other places? The loose way of spending money in carrying out decorations, which prevailed in South Kensington, was not followed in other institutions where there was a real love of pure Art. Indeed, he doubted whether either Science or Art was pure at South Kensington. He thought the Committee should regard with the greatest jealousy the way in which the accounts were drawn up. As those accounts were now brought forward, it was extremely difficult to find out what was really done in connection with that institution every year; and, in his opinion, there ought to be a Committee appointed to inquire into the subject. He objected very much to the money which was voted for South Kensington; because he did not think that, under existing arrangements, that establishment tended to promote real Science or Art at all. He was glad that the question had been brought forward; and that he had an opportunity of making an emphatic protest against the perpetuation of the present way of bringing the Estimates before the Committee.

Sir WALTER B. BARTTELOT could not understand what became of the money which was voted for the South Kensington Museum. Nearly every item of the expenditure upon it was over-estimated; and he wished to draw the attention of his hon. Friend the Secretary to the Treasury particularly to the subject, in order that as accurate an Estimate as possible might in future be presented to the House, and that money voted for one specific object might not be expended on another. He did not for one moment mean to say that there was any intention to deceive the House in the matter; but it was quite clear the accounts in connection with the Science and Art Department were not so correctly kept as in other Departments. He should prefer to see a Supplementary Estimate asked for, to having a larger sum than was required voted for an establishment such as South Kensington.

Mr. J. COWEN had no desire unnecessarily to prolong the present discussion, but could not refrain from recording his protest against the systematic attempts which were made to disparage an institution like South Kensington, of whose value, in an educational point of view, direct proof was being given at the present moment. The magnificent specimens of English pottery which were to be seen at the Paris Exhibition were, he did not hesitate to say, to a great extent due to the educational influence which was exercised by that institution. Those specimens reflected great honour and credit on this country; and but for the existence of South Kensington we should not, he believed, have them to boast of.

Sir GEORGE BOWYER entirely concurred in the observations which had fallen from his hon. Friend who spoke last, and must strongly protest against the Museum being described, as it had been by another hon. Friend of his, as a peep-show. He looked upon South Kensington as being of the utmost importance in opening peoples eyes to what, in reality, constituted true Art. In England there was only one style of Art cultivated—the Gothic; but those who went to South Kensington had the opportunity afforded them of seeing the Italian and other styles of Art, and he felt quite sure that artists and others who did not happen to have travelled on the Continent, derived great advantage from their visits to the Museum where they found specimens of good taste and pure Art.

SIR HENRY SELWIN-IBBETSON could assure the Committee that neither he nor his right hon. Friend the First Commissioner of Works wished at all to undervalue the educational influences of South Kensington Museum; neither did he understand his hon. and gallant Friend the Member for West Sussex (Sir Walter B. Barttelot) to have spoken in disparagement of those influences. His hon. and gallant Friend had merely called attention to a matter of accounts; and he must at once admit that it was the duty of the Secretary to the Treasury to take care that the Estimates presented to the House really accorded with the expenditure which was incurred within the financial year for which they were proposed. The object of the Estimate, in the present instance, would certainly not be attained if the Government were to show any disposition to depreciate Art.

SIR ANDREW LUSK, while fully recognizing the value of Art, and while desirous of promoting its progress in every legitimate way, could not help, at the same time, thinking that a great deal of money was wasted in connection with the Museum at South Kensington. He very well recollected when considerable defalcations had been discovered there; and he hoped, therefore, the accounts would be presented to the House in such a way that hon. Members might be able to see how the money voted for the Museum was actually spent.

Vote *agreed to.*

(12.) £3,795, to complete the sum for British Museum Buildings.

(13.) Motion made, and Question proposed,

"That a sum, not exceeding £60,050, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1879, for the Erection of a Natural History Museum."

MR. E. JENKINS rose to move that the Vote be struck out. The original Estimate for the erection of the Natural History Museum was £350,000. A revised Estimate was subsequently presented to the House for £45,000 more, or £395,000. Last year he asked the noble Lord who, at the time, occupied the position of Vice President of the Committee of Council for Education (Viscount Sandon)—but who had since been raised to a higher office—whether the new building which he had been watching with the greatest interest for some time was likely to be completed for anything like the sum set forth in the revised Estimate? and the reply was that more money would be required. Well, not only had the whole of the £395,000 which he had just mentioned been expended, but what was called an approximate Estimate, amounting to £177,750, was presented for the purpose of putting fixings and fittings in the new building. Under these circumstances, he should like to have some explanation from the First Commissioner of Works on the subject. He should like to know whether, in the original plan of the building, it was contemplated to erect those annexes which had since been added, and which were to be seen sprawling behind it in that part of South Kensington in which it was situated? As for the building itself, it was almost a disgrace to the architecture of the metropolis. Looked at from one point of view, it had the appearance of a home for lost dogs, with its gargoyles, corbels, and mastiffs; from another, it reminded one of a cattle-market; while any person seeing it from the rear would imagine it was a railway station. Such was the building for which the Committee were asked to pay an enormous sum in excess of the original Estimate. Was that excess to be accounted for by the fact that a number of new annexes had been added in the rear of the building, and a sort of Campanile tower? he did not know exactly what it was termed in architecture. The matter required explanation; and, as a protest against the mode of proceeding to which he had called the attention of the Committee, he should move that the Vote be omitted.

Mr. GERARD NOEL said, that it was not until after the original Estimate had been framed that it had been determined to make the additions to the building to which the hon. Gentleman referred. Fixtures had also to be put up.

Mr. E. JENKINS pointed out that the original Estimate included the cost of those fixtures.

Mr. GERARD NOEL replied that it did not include the entire cost, and that, besides, it had been found necessary to provide fittings for the exhibition of the different specimens of animals—as, for example, the specimens which had been brought from India.

Mr. E. JENKINS said, he was not satisfied with the explanation. He understood that the original Estimate was to include everything, except the construction of cases in which to place the animals.

Sir HENRY SELWIN-IBBETSON said, the words "internal fittings" were not in the original Estimate, and that it was necessary to have proper cases for the collection. A special contract had been entered into showing the amount of work to be done, and the sum which was to be paid for it, and that contract, having been carefully examined, had been sanctioned by the Treasury.

Mr. E. JENKINS said, he would divide the Committee against the Vote, and would also move that the original Estimate, as well as the new Estimate, should be laid on the Table of the House.

Mr. DILLWYN wished to know, whether any Estimate had been drawn up for the making of the cases? The approximate Estimate appeared to him to be very vague.

Mr. HERSCHELL asked, what was to become of the cases in which the animals had hitherto been exhibited? Were they to be transferred from the British Museum, or left behind and entirely new ones constructed?

Sir HENRY SELWIN-IBBETSON said, the question was a difficult one to answer. The cases at present in use might not be found to fit the new building. They might, in many instances, be either too small or too large.

Mr. MONK would recommend his hon. Friend the Member for Dundee (Mr. E. Jenkins) not to divide the Committee against the entire Vote. There was, however, an item of £20,000 for internal fittings, which he thought the Committee ought not to be asked to vote until full information was laid before them as to what those fittings were to be.

Mr. E. JENKINS said, he would accept the suggestion of his hon. Friend, and move not the omission of the Vote, but its reduction by the sum of £20,000.

Motion made, and Question proposed,

"That a sum, not exceeding £40,050, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Erection of a Natural History Museum."—(*Mr. Edward Jenkins.*)

Sir PHILIP EGERTON said, the Trustees of the British Museum had pressed the Treasury very hard with respect to the construction of cases, which was a matter of considerable difficulty, inasmuch as it was necessary to provide for the exclusion of dust, the prevention of depredations, and the exhibition of the various specimens to the best possible advantage. They had to ask that experimental cases should be made of the very best kind; and in that fact some reason might, he thought, be found for the proposal of an approximate Estimate. It was stated in evidence, by the heads of departments, that the fittings of the Museum might be delayed in transmission a period of six months, and the Trustees had, therefore, been exceedingly anxious to procure the cases. The increase in the Estimate for the new building might, he believed, be ascribed in a great degree to the decision which had been arrived at to carry one of the towers to the height which was originally proposed, and so to provide a sufficient elevation for a tank by means of which an adequate supply of water might be secured.

Sir ANDREW LUSK should like to know who was responsible for the work? Things, it appeared to him, were conducted in a very loose way at South Kensington. In the present case, there really seemed to be nobody who knew anything either about the contract or the Estimate.

Question put, and *negatived.*

Original Question put, and *agreed to.*

(14.) £11,283, to complete the sum for Harbours, &c. under the Board of Trade.

MR. MONK asked, what harbours were included in the Vote? In the case of Harwich, which he found mentioned as one of them, there were, he believed, certain dues which covered the Vote; but there were no such dues in connection with the harbours of Dover and Holyhead. Why, too, he should like to know, was the Committee called upon to vote money for the two last-named harbours and not for Folkestone. Again, there was a sum set down for repairs at Spurn Point; why was that sum to be paid by the country instead of by the local authorities? He could understand why a grant should be made in the case of Dover and Holyhead, because they were packet-stations, but Spurn Point had no such claim.

VISCOUNT SANDON pointed out that Dover and Holyhead were harbours of great importance in a national point of view, and that the arrangement in the case of Harwich was one of very old standing. He was sorry to say he could not give his hon. Friend any further information at present; but he would take care that the whole subject should be carefully inquired into.

MR. MONK was obliged to the noble Viscount for his information, but it really amounted to nothing at all. The noble Viscount said nothing about Spurn Point. Unless some more satisfactory explanation were given, he should feel it to be his duty to divide the Committee against the Vote.

MR. NORWOOD said, that Spurn Point was a narrow slip of land at the northern entrance of the Humber, on the extremity of which was an important lighthouse, the safety of which was threatened by the action of the sea, which the Board of Trade was endeavouring to arrest by groynes, &c.

SIR HENRY SELWIN-IBBETSON would remind the hon. Member for Gloucester (Mr. Monk) that there were certain harbours in receipt of aid from the Government, because they were harbours of refuge. Dover, which had been transferred to the control of the Board of Trade in 1866, was one of those harbours, and Spurn Point was another.

VISCOUNT SANDON said, he would explain more fully the details of the Vote on a future occasion.

Vote *agreed to.*

(15.) £133,091, to complete the sum for rates on Government property.

MR. MORGAN LLOYD asked, whether the allowances granted in lieu of rates were made upon any principle, or simply by guess-work, and whether a certain sum was allowed by arrangement to one locality, and a certain sum to another? It seemed to him that the local rates on Government property should be levied upon the same principle as upon every other kind of property, there being some one to represent the Government as well as the local authorities, to see that the assessment was a fair one.

SIR HENRY SELWIN-IBBETSON said, that the sum contributed was regulated according to the amount at which the property in question would be rated if it did not belong to the Government.

Vote *agreed to.*

(16.) £7,500, to complete the sum for the Metropolitan Fire Brigade.

MR. HAYTER asked the Secretary to the Treasury, what steps had been taken to carry out the recommendations of the Select Committee which sat a short time ago to inquire into the constitution and management of the Metropolitan Fire Brigade, and over which the hon. Baronet himself had so ably presided? Was it the intention of the Government, he should like to know, to transfer the control of the Brigade, in accordance with one of those recommendations, from the Metropolitan Board of Works to the Secretary of State for the Home Department? As to another recommendation—the transference of the central station from Watling Street to Southwark Bridge—he saw by the newspapers that that had been acted upon within the last few days. But perhaps the hon. Baronet could inform him whether it was proposed to make any addition to the number of men in the Brigade? as the force was at present seriously overworked in the performance of its duties.

Sir HENRY SELWIN-IBBETSON said, he was quite as much alive as the hon. and gallant Gentleman could be to the necessity of carrying out, as far as possible, the recommendations of the Committee to which he alluded. The whole subject was under the consideration of his right hon. Friend the Secretary of State for the Home Department; but alterations, such as those suggested, could, of course, be made only after very careful investigation. As to the increase in the number of men, he could not give the Committee any positive information; but he would inquire into the matter.

Sir ANDREW LUSK pointed out that the Government paid only £10,000 a-year in the shape of a contribution to the support of the Fire Brigade for the protection of their property, and contended that that amount ought to be considerably increased. As to placing the Brigade under the control of the Home Office, it was a proposal which, in his opinion, would be as well let alone. The force was exceedingly well managed at present.

Sir HENRY SELWIN-IBBETSON thought it was undesirable to make any change, such as that suggested by the hon. Baronet, until the recommendations of the Committee had been fully considered.

Vote *agreed to.*

(17.) £9,310, to complete the sum for Lighthouses Abroad.

(18.) £32,867, to complete the sum for Diplomatic and Consular Buildings.

Resolutions to be reported upon *Thursday* next;

Committee to sit again upon *Thursday* next.

SUPPLY—REPORT.

Resolutions [6th June] *reported.*

First Twenty-two Resolutions *agreed to.*

Sir HENRY SELWIN-IBBETSON took occasion, when the Vote for the Post Office was read by the Clerk at the Table, to refer to an error of £440 in connection with the Money Order Office which, he said, had been pointed out on the previous evening by the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke). To rectify that error, he contemplated at first moving the reduction of the Vote by that amount; but he had been informed that if that course were taken, there would appear to be a discrepancy between the Estimate and the sum voted, which might lead to serious misapprehension and irregularity in future years. The better plan, therefore, he thought, would be to allow the extra sum to pass, on the distinct understanding that it would be repaid into the Exchequer.

Sir CHARLES W. DILKE would offer no objection to the course proposed by the hon. Baronet. At the same time, he should like to have the opinion of the hon. Member for Chester (Mr. Raikes) as to whether it was not an ordinary mode of proceeding to move the reduction of a Vote on the Report of Supply?

Mr. SPEAKER: Does the hon. Baronet wish to oppose the Vote?

Sir CHARLES W. DILKE: No.

It being ten minutes before Seven of the clock, the further Proceeding on Consideration of the said Resolutions stood adjourned till *Thursday* next.

House adjourned at Seven o'clock,
till Thursday next.

HOUSE OF COMMONS,

Thursday, 13th June, 1878.

MINUTES.]—Supply—*considered in Committee*—Army Estimates.

Resolutions [June 7] *reported.*

Public Bills — *First Reading* — Medical Act (1858) Amendment * [216].

Second Reading — Medical Act (1858) Amendment (No. 2) [196], *debate adjourned.*

Committee—Report—Inclosure Provisional Order (Llanfair Waterdine) * [190]; Elementary Education Provisional Orders Confirmation (Birmingham, &c.) * [191]; Provisional Orders (Ireland) Confirmation (Dungarvan, &c.) * [193]; Local Government Provisional Order (Darenth Valley) (*re-comm.*) * [206]; Local Government Provisional Orders (Belper Union, &c.) (*re-comm.*) * [164]; Local Government Provisional Orders (Dawlish, &c.) (*re-comm.*) * [212]; Local Government Provisional Orders (Bournemouth, &c.) (*re-comm.*) * [213]; Local Government Provisional Orders (Abergavenny Union, &c.) (*re-comm.*) * [166]; Racecourses (Licensing) [76].

Considered as amended—General Police and Improvement (Scotland) Act, 1862, Amendment * [147]; Tenant Right (Ireland) [31], *deferred.*

Third Reading — Local Government (Ireland) Provisional Order Confirmation (Artizans' and Labourers' Dwellings) (Cork) * [180]; Dental Practitioners * [177], and *passed.*

QUESTIONS.

ARMY—THE RESERVE FORCES—PENSIONS AND GOOD CONDUCT PAY.

QUESTION.

COLONEL ARBUTHNOT asked the Secretary of State for War, Whether General Order No. 36, 1st of May 1878, laying down that "service in the Reserve will reckon towards pension but not towards good conduct pay" is not inconsistent with the terms upon which men entered the Reserve as laid down in Clause 9, Reserve Force Circulars 1870, and inserted in the soldiers' small books; whether he is in a position to state that the General Order referred to has been or will be cancelled; and, whether he will consider the propriety, in any future Regulation which may be issued, of making the privilege of counting Reserve service towards good conduct pay conditional on the possession of one good conduct badge at the time of joining the Reserve?

COLONEL STANLEY, in reply, said, it was true that the General Order in question was not quite consistent; but, the attention of the War Office having been called to the matter, an alteration had been already made, and would shortly be published, bringing the terms of the Order into complete harmony with the attestation papers.

SOUTH AFRICA—THE CAFFRE WAR—OFFICERS ON SPECIAL SERVICE.

QUESTION.

MR. HAYTER asked the Secretary of State for War, Whether he can give to the House the names of the officers selected to proceed on special service to the Cape of Good Hope; and, whether he is in a position to state the reasons for their sudden despatch to join the troops in the field engaged in suppressing the Caffre outbreak, under the command of Major General Hon. F. Thesiger, C.B.?

COLONEL STANLEY, in reply, said, he did not think it necessary to read to the House the names of the officers in question; but the list of them would be placed in the Library for the information of hon. Members. The reason for their being sent to South Africa was, that General Thesiger had written home to say that he found the practice of associating Imperial officers with the Colonial Forces had been productive of great good, and that there were several commands which he wished to see filled by Imperial officers of the rank of captain, or by subalterns of long standing.

STRAITS SETTLEMENTS—THE PERAK EXPEDITION—PAY OF THE INDIAN TROOPS.—QUESTION.

SIR GEORGE CAMPBELL asked the Secretary of State for the Colonies, Whether the ordinary pay of the Indian troops employed in the Perak Expedition at the instance of the Governor of the Straits Settlements, for the period when they were beyond the Indian Dominions of Her Majesty, is charged to the Indian Exchequer or is to be otherwise provided for?

MR. E. STANHOPE: Sir, the ordinary pay of the Indian troops in that Expedition is charged to the Indian Exchequer.

SIR GEORGE CAMPBELL gave Notice that he would, at the earliest opportunity, call the attention of the House to the injustice thereby done to the Indian taxpayer.

ARMY—THE INDIAN SERVICE.

QUESTION.

GENERAL SIR GEORGE BALFOUR asked the Secretary of State for War, Whether, under the circumstance of India being again obliged to borrow two-and-a-half millions to cover expenditure, it would be practicable to give some relief to the embarrassed finances by withdrawing three out of the fifty battalions of European Infantry, especially as the effectives in privates are so far below the established strength of thirty-nine thousand privates, as to be nearly equal to the number of that grade in three battalions; or, if the paper strength of thirty-nine thousand privates must be adhered to, whether that end could not be attained by raising each Infantry company of forty-seven battalions to one hundred and four privates, instead of the nominal present strength of about ninety-seven privates, now fallen to about ninety-two effectives?

COLONEL STANLEY, in reply, said, he did not think it desirable at present to suggest any change in the number of battalions in the Indian Service, the question having been carefully considered and settled in 1870. It was a mistake to suppose that the establishment of the rank and file in India was always under its strength. It was true the number in each company varied; but the companies were not always under their strength, but, on the contrary, were sometimes over it, the fluctuation being due to the fact that troops could only be sent out to India at a particular season of the year.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

TREATIES OF 1856 AND 1871.

RESOLUTION.

MR. RYLANDS, in rising to call the attention of the House to the Treaties of 1856 and 1871; and to move—

> "That, in the opinion of this House, all future Treaties between this Country and Foreign Powers under which this Country is engaged, separately or in conjunction with any other Power, to interfere by force of arms, or by armed demonstration, or by the contribution of any military contingent or pecuniary subsidy, to attack or defend any Government or Nation with reference to its internal arrangements or foreign relations, or on any other contingency whatsoever, ought to be laid upon the Table of both Houses of Parliament before being ratified, in order that an opportunity may be afforded to both Houses of expressing their opinion upon the provisions of such Treaties,"

said: I did not wish, Sir, to trouble the House at any length on the subject of the Resolution which I have placed upon the Paper, although it is a question which at all times is one of much interest and importance; but it is especially appropriate at the present time, when this country is perhaps on the point of entering upon a new Treaty of international obligations. In view of so probable an event, I think we may wisely seek to learn from the history of past Treaty obligations important lessons, which we may read with advantage at the present time. We now stand in the midst of the ruins of great Treaties of guarantee — the Treaty of Paris of 1856, and the Treaty of London of 1871. The history of the rise and fall of those Treaties is so recent, and the period comprised in that history is so very short, that almost all of us can embrace them in our recollections. We can recall the circumstances which gave birth to the Treaty of 1856; we can trace the vicissitudes of its career; and we are now witnessing its untimely end. I think, from this brief but eventful retrospect, we may draw important lessons for our future guidance. The Treaty of 1856 cost this country £100,000,000 and 60,000 lives. It was a work upon which the greatest skill and judgment of the Foreign Office was devoted. It was a Treaty which was negotiated by most distinguished Plenipotentiaries, and subsequently received the approval of great statesmen. Its objects were principally five-fold—to maintain the integrity and independence of the Turkish Empire, to check the power of Russia, to establish the *status quo* in the East, to preserve the peace of Europe, and to ameliorate the condition of the Christian subjects of the Porte. In order to obtain these objects, the British Government came under very serious international obligations, and made the people of this country parties to solemn guarantees. Looking back upon the past 20 years, during which that Treaty has existed, we now see that it has failed in every particular; and not only so, but that its provisions were such that they necessarily led to its failure and to the results which have been recently witnessed. In the short-sighted diplomacy of the Foreign Office, one of the stipulations of that Treaty has been considered least important—I mean the amelioration of the condition of the Christian subjects of the Porte—which was, in reality, the most important of all, and the one upon which the permanence or otherwise of the Treaty was based. Before the Crimean War, and the Treaty of 1856, when the Christian subjects of Turkey were suffering injustice at the hands of the Porte, they made appeals to Russia for protection, but we deprived them of that protection. We destroyed the Russian Protectorate, and we substituted absolutely nothing in its stead. We accepted a delusive promise from the Turkish Government, which was not worth the paper on which it was written, and even that was so guarded with limitations, that it gave the Powers no right to enforce its execution. There was recently in the House a curious, but unprofitable, argument to prove that, while under the Treaty we had no right of interference, yet that we retained outside the Treaty a right, in the interests of Europe, to intervene on behalf of the Christians of Turkey if the necessity arose. I have no doubt that there was a right of the European Powers to interfere ; but the material fact is that they did not interfere, and no steps were taken to ameliorate the condition of the Christian subjects of the Porte : on the contrary, those Christian inhabitants of the Turkish Provinces were subjected to every indignity and every injustice, and our Foreign Office, from the time of signing the Treaty of 1856, were utterly careless of any of those acts of oppression of the Turkish Governors. Our Foreign Office shut its eyes to the misery of the Christian subjects of Turkey. The practical indifference shown in the Treaty of 1856 and by the Foreign Office to the rights and interests of the Christian subjects of the Porte did, in fact, render all the other objects of the Treaty nugatory. It necessarily increased the influence of Russia as the only Power to which the Christians could look for protection ; it rendered the maintenance of the *status quo* impossible ; and, so far from consolidating the peace of Europe, it intensified every element of disturbance, culminating in the dreadful war we have just witnessed, and destroying for ever the "independence and integrity of the Ottoman Empire." There was another danger by the Treaty of 1856, and it was the putting upon Russia terms which she would not carry out if she could help. Those who look to the lessons of history must read them to little purpose unless they know that at the close of any exhaustive war, and under the influence of the Powers of Europe, when there are humiliating conditions imposed on a Great Power, so long as those humiliating conditions remain, they are a source of great danger to Europe. We put, by the Treaty of 1856, a humiliating condition upon Russia—a condition so humiliating that some of the highest authorities in this country condemned it. Mr. Disraeli said, in this House, that it was "most impolitic, humiliating, and unnecessarily humiliating to Russia." As a matter of course, Russia, feeling the indignity of the stipulation, took advantage of the position of affairs during the Franco-German War, and at once claimed to be relieved from the humiliating condition of the Treaty of 1856—namely, the neutralization of the Black Sea. No doubt, hon. Gentlemen will recall the circumstances under which Russia appealed to this country to have that part of the Treaty done away with, and the end of the controversy was that the Treaty of 1871 was signed in London, and it declared that Russia was no longer to be bound by those humiliating conditions in regard to the neutralization of the Black Sea. I remember all the circumstances. There was a great hubbub ; the people said it was a great blow to Treaties, and we heard talked—as we have recently—a large amount of cant about the faith of Treaties, and about public law being outraged, and that we should stand up as a country in order to maintain Treaties and the public law of Europe. Let us take the case home to ourselves, and ask if such a humiliating condition were imposed on us in a time of our humiliation, whether we would not take the very first opportunity of striking out of the Treaty any such indignity ? And yet, in 1871, it really seemed as though we were on the verge of war to maintain a gross injustice towards Russia. There was the greatest possible agitation on the public mind, and there were strong despatches sent from the Foreign Office, and violent articles in the Press, in which there was a great deal said against Russia, just as we have had recently. The only difference—and which, I think, is a very marked difference—between 1871, as compared with the present time, is this. The Government of 1871 did not make the excitement of the public mind an excuse to take millions of money from the people. They secured an arrangement of the dispute, which, while it removed the indignity from Russia, was, at the same time, an arrangement which satisfied all those who had been parties to it. Now, in connection with this episode, I want to point out to the House a most remarkable circumstance in regard to that Treaty of 1856, and the Article in the Treaty in respect to the neutralization of the Black Sea. We had a diplomatic Correspondence subsequently laid on the Table of the House, and a despatch from Sir Henry Elliot, of the date of November 27, 1870, stated that within three years from the signing of the Treaty of 1856—that is to say, before 1859 — Italy, Austria, Prussia, and France all encouraged Russia to free herself from the stipulations of the Treaty—so that, in fact, our Foreign Office stood for years like a blind-folded man in the midst of Europe, holding in its hand the Treaty of 1856, entirely in the dark as to every one of the signatories having trifled with the most important of the Treaty obligations. No greater reason can be found for the Resolution which I have the honour to propose, or can more clearly prove that it is the interest of the House to watch over Treaties with the greatest care, than the fact that when we do enter into these guarantees with other countries, we are continually finding out that other countries do not stick to the Treaties. We may, at all events, say this—that while our Foreign Office is very often shortsighted and blundering, I think it is, at all events, honest. I believe our Foreign Office does not put its signature to a document without making a serious attempt to carry it out. That cannot be said of any other Power in Europe; and thus it is that we, the people of England, are in the habit of entering into a curious joint-stock company with other nations with a mixture of limited and unlimited liability, we taking the unlimited liability, and our partners the limited liability. I observe the right hon. Gentleman the Home Secretary, speaking in Preston, entirely ignored this fact in relation to the Treaties to which I have been referring. If the right hon. Gentleman had only taken the trouble to consider the history of recent Treaties, he would probably have taken a different view of the situation. In fact, one of the newspapers of Lancashire excused his ignorance of foreign affairs by the fact that he belonged to the Home Department. Now, this statement of the right hon. Gentleman the Home Secretary is so remarkable that I should have liked the right hon. Gentleman to have been present to have given his consideration to it. The right hon. Gentleman said at Preston—

> "If there are to be Treaties between nations, if we are to have a concert of Europe, and if that concert has come to some agreement, I want to know if any person who signs that agreement may tear it up and say—'I do not care the least for all those who have signed it with me.'"

Then the Home Secretary asked — "What is to be the state of Europe if such a state of things as that is to exist?" And he said that in order to justify the dangerous policy of the Government in insisting upon mere diplomatic technicalities. He asks—"What is to become of Europe if such a state of things as that is to exist?" Why, it does exist; it has existed. During the whole of this century it has existed. It is the most common thing in the world for parties to a Treaty, without asking the signatories of the Treaty, to depart from it. Now, the right hon. Gentleman the Home Secretary told the people of Lancashire that they ought to respect Treaties, and he made a very strong appeal as to the sanctity of Treaties. I am sorry he is not in the House, because I was going to make him a challenge; but, in his absence, I will challenge my hon. Friend the Under Secretary of State for Foreign Affairs to produce any great or important Treaty which has been signed by the Great Powers of Europe during the present century that has not been, in the course of a few years, broken up or evaded by some of the signatory Powers. And yet the right hon. Gentleman the Home Secretary seems to think that the whole of Europe will come to an end in some marvellous manner if people who sign Treaties can withdraw from the Treaty without permission from other countries. In order to assist the Under Secretary of State for Foreign Affairs, I will just recall to his mind two or three Treaties as instances of the point to which I have been referring. Take the guarantee given to the Belgians in 1831. I remember very well a most distinguished Member of this House—the late Sir Henry Bulwer — alluding to this fact in the House of Commons in 1870, and he asserted—"That before the ink with which the Treaty of 1831 was signed was hardly dry, there was a negotiation going on between France and Prussia to evade that Treaty." The most important Treaty of this century—of course, I mean the Treaty of Vienna —was, no doubt, the greatest example of a Treaty of Guarantees that was ever known in the history of civilized mankind. It was a Treaty in which this country was deeply interested, because it was the outcome of numerous struggles in which it had been engaged, and which had cost it £1,000,000,000. The sum was incredible—it is impossible to realize it. It is a sum of money which has burdened the Exchequer ever since, and which interferes with the commercial advantages of the British people in the present day. The Treaty of Vienna was signed by all the Great Powers of Europe; and yet I venture to say that it was torn to shreds by all the Powers who had signed their adhesion under the most solemn guarantees. It has been said that if you look at the present arrangement of Europe it forms a practical satire upon the Congress of Vienna. The Treaty of Vienna enjoined that Russia should give a Constitution to Poland, which she refused to do. Cracow was to be an independent Republic, and Austria destroyed it. Savoy and Nice were given to Sardinia, and France took them. Italy was parcelled out into several Sovereignties, and this arrangement disappeared when the King of Italy ruled over the entire Kingdom. Germany was to be governed by a Diet, of which the King of Denmark and the King of Hanover were members, with Austria as its President. This arrangement has been entirely dissolved, and these stipulations have been swallowed up by the great Empire of Germany. I will not trouble the House with any other Treaty except one—the Treaty of 1852. The Treaty of London with regard to the succession of the Danish Throne and the Duchy of Schleswig-Holstein, was signed by all the Great Powers of Europe; and yet Austria and Prussia, who had solemnly guaranteed the succession to the Duchy of Schleswig-Holstein, took possession of it themselves; and in 1864, without asking anybody, proceeded to subvert the Treaty, which was only these few years old, and to which they had signed their names. I recollect the serious danger of war which arose at that time. We were parties to that Treaty. It did not matter to us, and it was not of the slightest consequence, so far as we were concerned, whether Schleswig-Holstein belonged to one Danish family or another German family; but, because we had been entangled into a Treaty with regard to the Duchies of Schleswig-Holstein, we ran a great danger of going into a war in Europe, and it was only some personal feeling on the part of the Emperor of the French—who refused to listen to our application—which kept us from being involved in a war with Germany and Austria to settle the paltry Danish succession. Lord Palmerston, when he could not interfere, set up a dictum that has been quoted several times in this House, and it was to the effect—"That Treaties of Guarantee give a right to interfere, but do not constitute of themselves any obligation to interfere." I should be very glad if this dictum were generally acknowledged, as it relieves these Treaties of some of their dangers. Lord Palmerston, undoubtedly, acted upon it on several notable occasions. But the danger of Treaty obligations of this nature arises from the fact that it depends upon the will of the Prime Minister or Foreign Secretary of the day to determine whether we will act upon them or not; and opportunities are given for exciting a war feeling in the country, by inflammatory appeals in the Press, that British honour and prestige are involved in the maintenance of Treaties to which we have been parties. But if Lord Palmerston's dictum is to be accepted—as I am quite willing it should be—what becomes of the meaning of the English language? Take, for instance, the Tripartite Treaty of 1856, between Great Britain, Austria, and France, which reads as follows:—

> "Article I. The high contracting parties guarantee jointly and severally the independence and integrity of the Ottoman Empire recorded in the Treaty concluded at Paris on 30th March, 1856.
>
> "Article II. Any infraction of the stipulations of the said Treaty will be considered by the Powers signing the present Treaty as *casus belli*. They will come to an understanding with the Sublime Porte as to the measures which have become necessary, and will without delay determine among themselves as to the employment of their Military and Naval Forces."

If the English language has any meaning

at all, it is that we absolutely bound ourselves to maintain the independence and integrity of the Turkish Empire by force of arms; and it had been gravely argued that if Austria and France had called upon us in the name of that Treaty to join them, or either of them—in order to fulfil the obligations—we should have been bound in honour to have gone to war, and we should have found ourselves in this position—we should have had to choose between evading our obligation, and undertaking to fight for maintaining the Turkish despotism. Supposing Austria had had some desire to slice out a portion of the European territory; or, supposing France or Austria had any advantage to gain by going to war, they might, with reference to this Treaty, have claimed us to join them. And I say that that is a very dangerous position for this country to be in; and my object is now, that there may not be arising out of the present negotiations any possibility of this country being placed under obligations of this kind, which might involve British honour for purposes for which there could be no justification as connected with British policy or British interests. There is another danger with reference to those Treaty guarantees—that nobody can tell when they will come to an end. John Stuart Mill said, on a former occasion, that "Treaties are not eternal." They are, in fact, as a rule, very short-lived instruments, and the most evanescent of public engagements. The fields of diplomacy are strewn over with the relics of defunct Treaties; but, unfortunately, there are statesmen of a peculiar turn of mind, who seem to take a delight in groping among these dry bones in order to obtain some sign of life, and Lord Beaconsfield is one of these Treaty resurrectionists, and he is constantly looking out for some vitality amongst the remains of these dead Treaties. I remember, at the breaking out of the Franco-German War, that Mr. Disraeli got up and with solemn import told the House that, under the Treaty of Vienna, we had joined in a guarantee of a strip of Saxony to Prussia, and that, if in the course of the war the French armies took possession of that strip, we should be bound in our Treaty right and obligation to interfere. That seems most absurd now. It is a laughing matter now that we should be called upon to interfere under such a contingency, but it was no laughing matter in 1870. We could see that the pressure then put upon the right hon. Gentleman the Member for Greenwich by the Opposition, that we should be involved in war one way or another, had the effect of inducing the late Government to ask for a Vote of Credit for £2,000,000, which, I fear, was to a great extent wasted. The attachment of the Premier to these Treaties is a matter not alone of the past, it is a matter of very recent date; and, perhaps, the way in which the Government has been maintaining the Treaties of 1856 and 1871 during the past two years, has been the occasion of some of the greatest mischiefs which have arisen out of their policy. The fact is, that the attempt to maintain the obligations of those Treaties was far from promoting peace, for it tended directly to war, and, instead of promoting European concert, it raised obstacles to the joint action of the Powers. The Government upheld those Treaties up to a very late period. Lord Beaconsfield has again and again, with all the force of his rhetoric and the influence of his position, said that this country was absolutely bound to support the independence and integrity of the Ottoman Empire. His Mansion House speech of November, 1876, was full of our Treaty obligations towards Turkey; and Her Majesty's Speech, at the close of the Session of 1876, recognized the duties imposed upon Her under those Treaties. At the opening of the Session of 1877, again Her Majesty said—

> "My object has throughout been to maintain the peace of Europe, and to bring about the better government of the disturbed provinces, without infringing upon the independence and integrity of the Ottoman Empire."

What effect had all this language about the independence and integrity of the Turkish Empire? We know what effect it had. It bolstered up Turkey to resist the Councils of Europe; and Her Majesty's Government refused to join in a European concert, on the grounds stated in the Blue Books—that they could not join in the steps proposed by Russia, Austria, or Germany, because they would interfere with the maintenance of the independence and integrity of the Turkish Empire. We have been held in suspense as to whether the Government had or had not given up the Treaties of 1856 and 1871. There ought certainly to have been no mistake on this matter, considering that no other Government in Europe was maintaining those Treaties except ourselves. It has been a most unfortunate and dangerous circumstance, during the past two years, that the Government have had two voices in their foreign policy; and, until a recent period, they have had two voices in relation to these Treaty obligations. The Chancellor of the Exchequer told us, a short time since, that these Treaties were shattered and destroyed—very distinct language—and I was glad to hear it. But almost on the very same day Lord Beaconsfield in "another place," dealing with the obligations to be enforced upon Russia, said—"This is the key-note of our policy; this is the diapason of our diplomacy." Diapason! Why, so far from being the key-note of harmony, it was the key-note of discord in your own Cabinet—the key-note of disunion and animosity in the country, and of alarm and apprehension and distrust throughout Europe. The Congress meets to-day, and I suppose that now we may assume that these Treaties of 1856 and 1871 have disappeared for ever, or, at all events, we have got rid of their mischievous obligations. But of what will take place we are left in ignorance by the Government. They refuse to give us any distinct statement of their aims and policy; they point to Lord Salisbury's despatch; and, no doubt, that celebrated despatch was a masterpiece of cavilling at the Treaty of San Stefano; but it absolutely failed to lay down any definite scheme for the settlement of the Eastern Question. Sir, I am afraid that some of the worst features of the Treaty of 1856 may appear again in the new Treaty which is about to be made. I am afraid that attempts may be made to bolster up the power of Turkey under the guarantee of Europe, under some delusion that that Empire still constitutes a barrier against the growth of Russia. I am afraid that South Bulgaria, the scene of those recent frightful atrocities, may remain under the misrule of Turkey; I am afraid that in Bosnia and Herzegovina, where the people have lived under Turkish oppression for centuries, there is little prospect for improvement; I am afraid that the aspirations of the Greek nation may be disappointed. I hope these things may not happen, but they are possible. If they do happen, or anything like them happens, then I say that any such policy on the part of the British Government in dealing with this great question would be repugnant to the great masses of the British people; and I believe that nothing could be more unwise or unjust than that a policy repugnant to a great portion of the British people should be irrevocably sealed in a Treaty of Europe with which we are bound, and in which we, as a Parliament, have no voice whatever in the terms of its provisions. I hope I may be disappointed. I hope we may all find that the great mistake of 1856 may not be repeated now. But, whatever the Treaty may be, I do think it is very desirable that the opinion of Parliament should be obtained upon its provisions before it is absolutely ratified. Therefore, Sir, I move this Resolution, which recognises the right of Parliament to have a voice in the discussion of the Treaty before its ratification. The Resolution which I intend to move is one which might apply to all Treaties; but I have confined it to Treaties of Guarantee. I think that Treaties of Guarantee ought to come under the view of the Houses of Parliament, for they impose serious obligations which may lead to heavy expenditure, to an increase of the burdens of taxation on the people; or they may carry us into war, endangering the best interests of the country. I say that no Treaty, having such responsibilities, ought to be ratified without having the approval of Parliament. I may be told that I am striking at the Royal Prerogative. It is really, and in fact, the Ministers of the Crown who determine the Treaties of obligation in which the country enters—and I wish to point out to the House how remarkable it is that we, who are so jealous of our privileges that we will not allow the Ministers of the Crown to impose taxation upon the people without first consulting us; that we, who will not even allow them to pass a Turnpike Act without our consent, give them absolute power to impose obligations upon us which may cost hereafter hundreds of millions of money. It may be said that if my Resolution were carried, it would render the negotiations of Treaties still more difficult; but that, in my judgment, is a positive advantage rather than otherwise. It seems to me that no Treaty of Guarantee should be entered into, unless there is the most pressing and justifiable necessity it is possible to conceive. I have not attempted to say in which way the opinion of the House should be taken on a Treaty of Guarantee. If the House thinks there should be some check upon Government, I am quite sure that the wisdom of Parliament and the ability of leading statesmen on both sides of the House would have no difficulty in determining the best mode. I am only concerned in the principle, and I think I am right in recommending the subject to the attention of the House. I might mention several eminent authorities on the point; but I will simply refer to Lord Derby, who, on June 12, 1871, said—

> "No doubt, there is a great deal to be said, both on theoretical and on practical grounds, for the principle that the Parliament and the country ought not to be bound by the acts of the Executive, whoever at the time may compose it, in making International Treaties, without having an opportunity of considering the merits of those Treaties."—[3 *Hansard*, ccvi. 1854.]

We are all looking forward to a peaceful solution of the Eastern Question. *The Times* Correspondent at Vienna recently remarked upon the craving for peace which exists everywhere, and to the longing for some sort of solution to the question which has weighed down Europe for well-nigh three years. No doubt that is the feeling in Europe. It is, undoubtedly, the feeling in this country. I have never had great doubt as to the preservation of peace; not because the action of the Government has been calculated to promote the peace of Europe, for it has had a contrary effect. I will tell you why I think peace is certain. I think it is because Russia is exhausted; Germany has great interests in peace; France requires repose; and Austria would by war endanger her very existence. I can only hope that a peaceful solution may be arrived at. I do not think the terms of that peace will be very narrowly scanned; it will meet with a very ready acceptance on the part of the people of this country; and I trust that Her Majesty's Government will not seek to obtain any mere diplomatic triumph in this matter, but will use their influence to bring about a peace on the only basis that gives promise of permanence—by securing the recognition of the national desires of the peoples of the European Provinces of Turkey. The hon. Gentleman concluded by moving his Resolution.

Mr. E. JENKINS, in rising to second the Amendment, said, he did so with some misgiving, not, however, because he had anything to object to in its nature or terms, or in regard to its opportuneness, but because it was not likely to be appreciated by the Government or the House as it would be by the country. It was right that attention should be called to the subject; for he did not know whether it was within the knowledge of the Government, though it was certainly within the knowledge of many in that House, that there had been a growing public opinion, especially in the Midland and Northern counties, and in Scotland, that the manner in which Her Majesty had been advised to exercise the Prerogative was dangerous to the Constitution as all desired to maintain it. It could not but be dangerous that Ministers should advise Her Majesty to use the rights of the Prerogative in such a way that they should become unpopular in England. The Resolution of his hon. Friend (Mr. Rylands), he admitted, proposed distinctly to limit the Royal Prerogative, but only so far as to bring it into harmony with the existing state of Constitutional Government in this country. In discussing this matter they were little concerned with historical questions on the one hand, or with ideas of philosophical perfection on the other. What they had to do was to consider the actual facts, and the practical expediency of the Amendment, which would fall to the ground if it could not be shown that the illimitable exercise of the Prerogative was absurd, inconvenient, or perilous. He would observe, in anticipation of what might be said on the other side, that peculiar notions were entertained by some hon. Gentlemen with respect to the use of the Royal Prerogative; and he thought it desirable that some definition should be laid down as to the meaning of the word "Prerogative." Now, in his opinion, the use of the Royal Prerogative was only such as the law allowed. It was as much the creature of law as were the rights of any subject; it was not an original, but a derived right, and depended upon the will of the people, and it ought to be from time to time defined, in order to bring it into conformity with the Constitutional development of their freedom. This had been done, in fact, from time to time, as when judicial powers, nominally vested in the Crown, were delegated to those from whom they could not now be taken away. The precise right claimed for the Crown in this case was the making of Treaties; but was there, he asked, no danger, inconvenience, or impropriety, in permitting the Crown, upon the advice of Ministers, to exercise this Prerogative? One result of the exercise of this right had been seen during the course of the recent negotiations — the concealment from Parliament of the facts, the nature of the issues, and the difficulties upon which a judgment was arrived at. The consequence was that the House of Commons, which was the most responsible power in the country, and had the duty of seeing that the Executive carried out its functions in such a way as not to overstep the limits of the Constitution on the one hand, nor prejudice the interests of the country on the other, was absolutely without any information as to the facts on which the Government were acting. The Cabinet had for months been carrying on a policy so secret that they had been induced to vote £6,000,000, and to condone a gross breach of the Constitution, on the ground of dangers which the Government had not deemed it necessary to communicate. He could conceive the case of an ambitious and unscrupulous Minister—a gambler, who fancied he saw his way to the attainment of a certain end—advising the Crown to do such things upon information which was inaccurate, and upon a state of facts that did not justify it, and months after they might find it was too late to remedy the evil, and the Minister might save himself from impeachment by being buried in Westminster Abbey. The exercise of the Prerogative was, practically, at this moment in the hands of the Prime Minister. Within an hour of his being in Berlin he had walked round to Prince Bismarck, the Minister of a practically autocratic Sovereign, and with him he discussed matters of the deepest importance. Lord Salisbury, who was supposed to be at Berlin as a check upon Lord Beaconsfield's ambitious views, was not present at that interview, and would only learn from the Prime Minister as much as he chose to tell him. At home was what might be called the "rump" of the Government, and they also would know no more of those negotiations than the Prime Minister chose to communicate to them. Was that a safe and proper position for this country to be in? We might be committed by the will of one man—and one by no means the most competent—to guarantees, obligations, and expenditure, which might have a lasting influence upon the destinies of this Empire, but of which the supreme Power in Great Britain—the Houses of Parliament—would only know when they were irrevocable. Could the propriety of such a result be maintainable in the face of the great facts of Constitutional Government and the freedom of the people, especially when extravagant claims as to extensions of right had been claimed by the Government on other matters under the name of the Royal Prerogative? Probably two checks on the Ministers would be mentioned by hon. Gentlemen opposite, and it would be said, in the first place, that a Minister might be impeached. But he (Mr. Jenkins) could attach no great value to that argument, for it was hardly conceivable that any Minister would be foolish enough to lay himself open to an impeachment while there were many ways of evading the Constitution. But, it might be urged, Parliament had the right of refusing Supplies, and had, in short, what was known as Parliamentary control. That, too, was an illusory check, for there was little likelihood of seeing it pushed to its direst conclusion, as the events of the last few weeks had shown; and it would be fresh in the memory of everyone that the majority had readily condoned or justified the unconstitutional acts of which Ministers had been guilty. And even if, in the last resort, the Ministry were to be dismissed, it was possible to conceive the case of one who would be ready to run that risk if only he could set his hand to a Treaty that would make himself celebrated. Besides, dismissal would not take place till the guarantees had been given, and till Treaties had been signed, when the House would have no power but that of initiating an unreal debate. A thoughtful writer on politics, the late Mr. W. Bagehot, had referred to the subject, and had argued that Parliament ought to have more control over foreign policy than it at present possessed. Besides, the Representatives themselves were responsible to the country, and ought for that reason to have opportunities not only for review, but also for criticism. It was true that the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) had offered objections to the proposition in 1874, on the ground of the necessity which existed for placing implicit confidence in the Ministers who had the conduct of negotiations, and for secrecy during their progress; but he (Mr. Jenkins) believed it would be better for this country if secret diplomacy were swept away; and if they insisted that their diplomatic transactions should be done in the light of day, letting other nations know that when we negotiated with them these negotiations would be subject to daily communications to the Parliament and the country. He saw the Chancellor of the Exchequer blandly smiling at such an idea; but he (Mr. Jenkins) had no doubt that, by-and-bye, they would not only limit the Government in the exercise of this Prerogative in regard to Treaty-making, but expect it to be perfectly open in its negotiations with foreign Powers. He believed it would come to that. He felt that putting forward the proposition of his hon. Friend did not in any degree tend to tarnish the lustre of the Crown of England, and rather hoped that the acceptance of such a proposition might tend to give it greater strength in international negotiations, and more confidence among people abroad.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, all future Treaties between this Country and Foreign Powers under which this Country is engaged, separately or in conjunction with any other Power, to interfere by force of arms, or by armed demonstration, or by the contribution of any military contingent or pecuniary subsidy, to attack or defend any Government or Nation with reference to its internal arrangements or foreign relations, or on any other contingency whatsoever, ought to be laid upon the Table of both Houses of Parliament before being ratified, in order that an opportunity may be afforded to both Houses of expressing their opinion upon the provisions of such Treaties,"—(*Mr. Rylands,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. E. Jenkins

Mr. GLADSTONE: My hon. Friend who has submitted this Motion to the House (Mr. Rylands) has, I think, framed it, and likewise his speech upon it, in such a temper as to facilitate a perfectly unbiassed and temperate consideration of the question; and I feel strongly that we ought to avoid whatever temptation may beset us upon the present occasion to mix up a discussion of this kind on a question Constitutional in its nature with the particular differences which have arisen during the last year or two between the two sides of the House upon questions of foreign policy. I think such a course would tend very much to perplex and obscure our judgment, if, for example, because some of us think that unconstitutional doctrines have been laid down, or inconsistent acts committed in certain other respects, we were to revenge ourselves for these acts by adopting a Resolution which might have inconvenient consequences, and which could not be defended upon its own general grounds of substantive policy. I am sure my hon. Friends will agree with me in thinking that we should separate recent controversies from the discussion we have before us. What I would urge in regard to the Motion, and the Treaties of 1856 and 1871, is particularly this—that neither has the Mover nor the Seconder shown a case of practical inconvenience which has arisen out of the exercise of this power to which he refers by the Executive. They have shown, I admit, that were the Executive Government, with large powers placed in its hands, to use those powers in a reckless manner, without regard to the interests or the well-understood sentiments of the country, the greatest possible public evils would result. But it is a choice of inconveniences and difficulties. You must, on the one hand, trust the Executive Government in these matters very largely, or you must, on the other hand, run into a greater mischief still—namely, that of committing the transaction of foreign affairs and the conduct of difficult foreign negotiations to bodies—the Houses of Parliament—which are essentially, from their own composition, unfit for the discharge of such tasks. My hon. Friend has agreed with me, in the course of this Eastern Question, in objecting to a great deal that has been done by Her Majesty's Government; but I have never felt, nor has my hon. Friend succeeded in showing that that conduct of the Government was pursued necessarily in consequence of the Treaties of 1856 or 1871, or of the guarantees into which we entered in respect to those Treaties. I can speak with the same impartiality as my hon. Friend; because, not having been a Member of the Government at the time, I am not responsible for the guarantees of 1856, and the guarantee of 1871 was only a renewal of the milder of the guarantees. Practically, I feel that I look upon these questions rather as a spectator than as an actor in the original transactions. Now, if Her Majesty's Government had thought it their duty to act upon these guarantees in the strict interpretation of them, particularly on the guarantees of the Tripartite Treaties, then my hon. Friend would have had a *primâ facie* ground; because, in that case, Her Majesty's Government would, upon their own responsibility, have committed themselves to some warlike measures as a direct consequence of the obligation of that guarantee. But they have done nothing of the sort; and when, during the last few months, they have made military preparations, and taken proceedings to which some of us have strongly objected, they have not done it upon the ground that they were bound to do it by the guarantees of those Treaties, but in the exercise of their discretion, and in obedience to what they call public motives. My hon. Friend has, therefore, not supplied a link in the argument which would be absolutely wanting to sustain his Motion. I think Her Majesty's Government have used the Treaties of 1856 and 1871 very much as they pleased, that is to say—and I am making no accusation against them —they have acted very largely upon what I believe to have been a dictum of Lord Palmerston and a traditional doctrine of the Foreign Office, that a guarantee gives a title to interfere, but does not impose an absolute obligation to interfere. Under cover of a doctrine of that kind, there is room enough to avoid most serious inconveniences that might arise from these guarantees. We must be content to judge these matters very much in the light of history. I admit that enormous powers are intrusted to Government, and that the misuse of these powers might entail most mischievous and ruinous consequences. That is a condition of necessity attaching to the work of Government. Have these consequences arisen? We must not judge this Motion of my hon. Friend by the opinion we may this moment entertain, aided by the light of experience, as to this or that particular guarantee. It may be there are guarantees which we now see to have been inconvenient and dangerous; but that is not the question. The main question is this—Were these guarantees entered into in conformity with what were believed to be the interests and duty of the country at the time, and in conformity with what were known to be the sentiments of the country at the time? If my hon. Friend goes over the list of the guarantees which have been embodied in various Treaties—gurarantees aimed at by this Resolution—I doubt whether he could produce a single instance of a guarantee entered into by preceding Governments, except where it has been agreeable to the actually prevailing sense of the country. If that is so, it shows that the adoption of my hon. Friend's Motion would only tend to entail a great responsibility upon Parliament; but it does not show that it would have any other practical effect whatever. My opinion, I confess, is that, upon the whole, the Government has upon no occasion known to me run ahead of the public opinion and conviction of the country in any of these guarantees. The guarantees of 1856 were, I think, decidedly agreeable to the generally prevailing sense of the nation at the time. Guarantees have seldom been the subject of such direct discussion in Parliament as to enable the laying down of very positive conclusions upon this subject; but there is one case which is very well worth notice, as it tends to throw light upon this question. It was the Guaranteed Loan of 1855. According to the established practice of this country, the Crown does not make absolute engagements of this kind, but only engages to apply to Parliament for a pecuniary subsidy. In my opinion, this Guaranteed Loan to Egypt was an absolutely bad engagement; and, thinking so at the time, I concurred with others in opposing the Bill. So strong was the objection felt in the House to it, that there was not only a debate and division; but in a rather full House, the Government carried that loan only by a majority of 4.

But while that was the case, the Bill passed through every other stage without opposition, because the Government of the day were determined to adhere to it; and it was well understood that if the opposition were prolonged, they would dissolve Parliament, and perfectly well known that if they dissolved Parliament, the country would sustain them to all lengths in that guarantee. What we really desire, and the best we can obtain, is not an infallible security that there shall be no unwise guarantee, but that the Government will carefully adhere to its own views and convictions of what the interests of the country require, and what the opinion and well-understood conviction of the country will approve. We come to the application of these considerations of the case which is now before us. All I can say is this—that I think it would be very dangerous if, because we have not been in harmony with the general course thus far of Her Majesty's Government on the Eastern Question, we were on that account to lay down and establish a new Constitutional principle, with respect to which I feel the greatest possible difficulty of giving to it any kind of practical operation. I can conceive it quite possible that we might embarrass, and impede, and distract the course of proceedings, and might discredit the country in the face of Europe, by depriving its Executive Government of that degree of independence and free agency which are absolutely necessary to maintain its influence. How it would be possible, in the midst of diplomatic negotiations, by a constant interchange of information and opinion between Government and Parliament, to arrive at anything like a community of action, I do not know. However much we may have differed from Her Majesty's Government in these matters, yet there are two things which I wish to keep in view. The first is, that we have arrived at a point in which it is not altogether unreasonable to hope that much of the subjects of these differences have disappeared. It is hardly possible to conceive that we may be going into the European Congress which we are now about to enter with any very wide discrepancies of view amongst ourselves generally as to the aims towards which the influence and efforts of this country should be directed. It would be unjust to the Government to suppose that whereas all other Administrations, in all other times and in all other affairs, took a pretty accurate admeasurement of the sentiment of the country on the subject of the guarantees upon which they were about to enter—it would be unjust to them, I say, to suppose that they are likely to rush into new guarantees without having regard to the sentiment of the country. I can scarcely believe such a thing on general grounds, still less should I be justified in believing it when I look at the special circumstances and tendencies of the country at the present time; because it is quite clear, irrespective of any matters which are and have been in controversy, that guarantees at this moment are somewhat damaged in public estimation. I do not wish to push that proposition too far, or to lay it down as an abstract principle; but I think there has been, both on the one side and the other of this great Eastern Question, a dissatisfaction—an uneasy sense of dissatisfaction which prevails even at this moment—that guarantees, upon the whole, have been an embarrassment and an impediment in the way of right action in the management of this Eastern Question. Some may be dissatisfied—no doubt some are dissatisfied—because those guarantees have not been acted upon up to their fullest extent and with the utmost rigour of construction; others are dissatisfied because they have been used, more or less, to promote a line of policy which, in principle, they can no longer approve. But I, for one, entertain no doubt—while carefully avoiding the assertion of any abstract principle—that Her Majesty's Government at the present time have no great disposition to welcome the announcement that a new set of guarantees has been entered into in regard to the state of affairs in the East. Whether any such guarantees should be required or not is not for me to decide; but I entertain the hope that Her Majesty's Government will, in respect to this question of guarantees, bear in mind the principal proposition of the Motion, that this vast power—for it is a vast power—has always been exercised with a due regard to the general sentiments and convictions of the country. And if the Government still continue to act in the same spirit which animated their Predecessors in all former time, then I confess the present arrangement seems to be the best arrangement which, in the many difficulties of the case, is possible; and, in fact, the only arrangement compatible with the effective transaction of the very important class of Business with which the Motion of my hon. Friend deals.

THE CHANCELLOR OF THE EXCHEQUER thought, after what had just fallen from his right hon. Friend, and the evident desire of the House not to further debate the subject, that it was scarcely necessary for him to make many remarks upon it. He entirely concurred in what had been said as to the spirit and temper in which both the Mover and Seconder of the Amendment had addressed themselves to the subject. There could be no doubt that it was a very important question, and one which it was perfectly fair and reasonable for hon. Gentlemen holding their views to bring forward for the purpose of challenging the opinion of the House. They knew that that was not a new subject with the hon. Member for Burnley (Mr. Rylands), and that his Motion had not been prompted by recent or any particular circumstances. Five years since, the hon. Member brought forward a similar Motion in another House of Commons, and with reference to a wholly different set of circumstances to that which now prevailed; and no one could deny that the opinion it contained was one which it was perfectly competent for him and those who agreed with him to express; but, at the same time, he (the Chancellor of the Exchequer) thought that the effect of such a Motion being brought forward at a time like the present might lead others who were not aware of the circumstances of the case, especially foreign Powers, to suppose that it had a more direct reference to existing negotiations than he presumed was really the fact, and that thus a misunderstanding might be created which they would all desire to avoid. He fully understood, however, that that was not the spirit in which it was brought forward, but rather that while it was the intention of the hon. Gentleman to take advantage of the existing state of things or of negotiations which had lately been going on, and were still going on, only for the purpose of illustration in support of his argument, the proposition which he advocated, itself was based on general grounds. When he last submitted it to the consideration of the House it was of a still more general character, and was founded on cases connected with our Commercial Treaties, particularly the Commercial Treaty with France. On that occasion the hon. Gentleman had been met very much in the same way as he had that evening by the right hon. Gentleman the Member for Greenwich, who was then Prime Minister. The right hon. Gentleman put the question, he (the Chancellor of the Exchequer) thought, very properly in this way—on the ground that it was not a question of merely abstract doctrine, but one of a practical character, and that it was necesssary, if we were to assert great changes of Constitutional principle such as would be involved in the acceptance of the Motion, to face the consequences and be prepared to see how effect could be given to the new proposition. Nobody could deny that they were necessarily liable to inconveniences in our form of government, for in it, as, indeed, in every form of government, there must be inconveniences of some kind. Those inconveniences and difficulties came very much to the surface when we were dealing with questions of foreign policy; but he did not see how, if the Constitution of the country were to remain as it was, it would be practically possible to work upon the lines upon which the hon. Gentleman would have us proceed. There was no similarity between the state of things which existed in this country and in the United States of America, to which the hon. Gentleman on a former occasion referred. There, undoubtedly, the negotiations of Treaties was subjected to the control of a portion, at all events, of the Legislative Body — the Senate, or practically to a Committee of Foreign Affairs of the Senate, which was a kind of supplementary Cabinet, and which acted in correspondence with the Ministry of the day and in secret communication with them. Now, that was a mode of proceeding in accordance with which it would be impossible to act in this country, the Cabinet being placed in a different position towards the House of Commons and Parliament. It would be necessary, too, to have everything done in public and in the face of Parliament and the country. So far, of course, as Parliament and the country were concerned, there would be no objection to that publicity; but, then, everything thus openly discussed was discussed in the face of the whole world, and it would, he believed, be found practically impossible to conduct negotiations with other Powers if they were to be conducted on such conditions. During all the recent negotiations, for instance, delicate as they had been, it would have been absolutely fatal to them if the Government were obliged to say that everything that was advanced must be discussed in public, subject to the criticisms not only of Parliament, but also of the Press and the public, before any step could be taken. Other Powers would, no doubt, look upon us with great suspicion, if when four or five of them had pledged themselves to the terms of a Treaty which England also accepted, that Treaty were subject, after all, to be controlled and generally criticized in the way which the hon. Gentleman suggested. The hon. Gentleman, indeed, did not probably think that there would be any great evil in such a state of things, for a great portion of his argument was directed against Treaties altogether, which he treated as being on the one hand useless, and on the other embarrassing—embarrassing to the honest signatories, and useless to those who were not disposed to act honestly. That was a difficulty which it was impossible to escape, whether a Treaty was ratified by Parliament or not; and if the argument of the hon. Gentleman was worth anything, it would not, he thought, be found easy to stop short of the conclusion that Treaties ought to be dispensed with, and our business carried on independently of other Powers. He was far from saying that there were not some grounds to justify some of the observations which the hon. Gentleman had made; but he was sure that Europe—he was sure that the people of this country would be very much surprised if we were to enunciate it as a general maxim that we were to do without Treaties altogether, and that in those European affairs in which we were interested, things must be trusted to go on without those international understandings and engagements. He ventured, he might add, to hope that the hon. Gentleman would not deem it necessary to divide the House on his Motion. To do so, might lead to misunderstanding not only at home, but abroad; and the case had been so exceedingly well put by the right hon. Gentleman opposite, that there was, in his opinion, no ground for pressing the subject to a division. It was not a question affecting one Party more than another, or a question of overstraining the Prerogative, or anything of that sort. As he had ventured to say the other day, Prerogative was not a question of the personal right or assertion of the Sovereign; it was a part, and an important part, of the Constitution; and if they desired to make so great a change in the Constitution as would be involved directly, and still more by its consequences, in the adoption of such a principle as that would be, the change was not one which ought to be made by a mere Amendment on the Motion that the Speaker leave the Chair for the House to go into Committee of Supply; but it would be a matter which ought to be most solemnly raised, and debated not only in that House, but also in the other House of Parliament. They did not dispute for a moment the right to raise, and, perhaps, the advantage of raising, such a discussion as the present one; but he would repeat his hope that it might not be made the occasion of a division.

Mr. RYLANDS said, that after the appeal of the right hon. Gentleman, he would not press his Motion to a division; but, with the leave of the House, would withdraw it. ["No, no!"]

Question put, and *agreed to.*

MILITARY FORCES LOCALIZATION ACT —THE COMPTROLLER AND AUDITOR GENERAL'S REPORT.

OBSERVATIONS.

Sir ALEXANDER GORDON, in rising to call attention to the Report of the Comptroller and Auditor General, dated 15th March, 1878, upon the

> "Account of money raised and issued under the provisions of the Military Forces Localization Act (35 and 36 Vic. c. 68),"

which was laid before the House in Parliamentary Paper, No. 121, of the present Session, said, the Report in question showed that they had no security that the money voted by the House was expended in the manner in which it was intended to be expended. In 1872 the House voted

£3,500,000 on behalf of the Military Forces Localization Act; £300,000 of that sum was intended to be applied to a tactical station in the North of England. In 1876 he drew attention to the fact that it was intended to apply part of that sum to a tactical station at Aldershot, and not in the North of England; but the then Secretary of State for War told him he had better not interfere with a subject on which he had no practical knowledge. Since then the matter had remained in abeyance; but he had now found that the Auditor General had taken precisely the same view of it as he had when he brought the subject before the House in 1876. In his Report the Auditor General drew attention to the fact that £150,000 out of £300,000 voted for a tactical station in Yorkshire had been applied to increasing the area of Aldershot. He (Sir Alexander Gordon) would not discuss the question whether that increased area at Aldershot was required or not. The point was, that by an Act they had voted a sum for a particular purpose; that the Auditor General thought £150,000 of that sum had been misapplied; and on that officer applying to the Treasury for their reasons for allowing the War Office so to appropriate that money, the answer they gave was—"My Lords see no reason to object to the manner in which the money has been appropriated." During the last two or three years the Departments had shown an increasing disregard of the remarks of the Auditor General, and the information which he required to enable him to do his duty to the House—whose servant he, in fact, was—in respect to the public expenditure was withheld from him, and he received no reply to his queries. The House, he thought, ought to sustain him in the independent position he took up; for, in his examination of the accounts, it was not for him to take the opinion of the Department as to the way the money was expended, but to follow his own opinion, so as to enable him to perform his duties to the House. He was responsible to that House, and not to the War Department, and they should uphold him in the course he was taking in making these Reports to them, and should insist that he should be furnished with the materials which would enable him to do his duty to the public, or they might as well cease to have such an officer at all. In addition to the sum under consideration in that Report, it would be found from the Appropriation Account for this year that no less than £476,728, out of a total saving of £617,973, had been re-appropriated to purposes of which the House knew nothing, and over which it could, therefore, exercise no control whatever.

ARMY — AUXILIARY FORCES — THE MILITIA.—OBSERVATIONS.

MR. HAYTER said, that before an answer was given by the Government, he wished to call the attention of the House to the present condition of the Militia, though he could not now, as he had intended to do, move—

> "That the Militia being now reduced in available strength of rank and file by nearly one-half of the entire number borne upon their establishment, it is expedient to adopt the recommendation of the Militia Committee of last year—viz., 'That a Peace Establishment be given to the Militia, reduced, exclusive of staff, to seventy-five men per company.'"

The hon. Member said that it was an appropriate time for considering that subject, because the system inaugurated by General Peel, and afterwards adopted by Lord Cardwell, of having a large Militia Reserve which might, on an emergency, be summoned to join the active Army, had now been subjected to the crucial test of actual experiment. The Militia and Army Reserve had responded to the call lately made upon them in a manner which reflected the highest credit on the individual men, and also on the excellence of the system adopted under General Peel and Lord Cardwell for the formation of Reserves for our small Army in this country. But, however, excellent that might be as an experiment for the active Army, at the same time it was, under existing arrangements, altogether destructive of the Militia—the backbone of our actual fighting Reserve. Instead of having a Militia Force amounting in round numbers to 120,000, we had, according to the latest Return, not more than half that number of men on whom we could rely. In 1875 the nominal establishment was 123,000; but we had really only 101,000 enrolled. In 1876 the nominal figure was 118,349; but we had only 100,217 enrolled. He was speaking only of the rank and file. Last year we had a nominal Militia establishment of 120,650; but the number really enrolled was 103,298. From that number he had to deduct upwards of 27,000 who had been called upon as Militia Reserve men to fill up the active Army. That reduced the number to 75,000. The number of men who were absent on the day on which the efficiency of the regiments was tested had increased from 10,000 to 15,000 last year. Those 15,000 must be deducted from the 75,000, and the effective strength of the Militia was thereby reduced to 60,000. There was no jealousy towards the Militia upon the part of the Volunteer Service; but if it was to be the main support of the Reserves, his right hon. and gallant Friend the Secretary of State for War must draw tighter the reins of discipline to make the Militia Force come out as on former occasions, or be effective in times of emergency. Within the last fortnight the Under Secretary of State for War (Viscount Bury) stated in the other House that in the Militia there were 102,877 efficients; but when they deducted the Militia Reserve men who had joined the Army, amounting to 27,343, and the number of men absent without leave on the day of inspection, amounting to 15,007, there remained 60,527, against a nominal establishment of 120,650. There was no difficulty in accounting for the deficiency when the state of the following Militia regiments was taken into consideration:—He had selected these regiments as the weakest from the official list, and it would be found that they came from the manufacturing districts in Lancashire, from the Metropolis, from Scotland, from the mining county of Cornwall, from two Midland counties — Northampton and Rutland—and from the purely agricultural counties of Devon and Wilts. For example—The 2nd Devon, whose establishment in rank and file was 800, had present at inspection only 332; wanting to complete, 468. The 4th Lancashire, establishment, 1,200; present at inspection, 432; wanting to complete, 472. The 5th Lancashire, establishment, 1,200; present at inspection, 573; wanting to complete, 536. The Northampton and Rutland, establishment, 1,400; present at inspection, 742; wanting to complete, 597. The 2nd Surrey, establishment, 1,000; present at inspection, 339; wanting to complete, 531. Wilts, establishment, 800; present at inspection, 480; wanting to complete, 302. Aberdeen, establishment, 800; present at inspection, 289; wanting to complete, 489. Cornwall Rangers, establishment, 800; present at inspection, 371; wanting to complete, 384. The total number of those present at the inspection of these regiments was 3,658; but the total of those who were wanting to complete their establishment was 3,765. On the other hand, he was glad to say that these things might be altered. The Hertford Militia, on the day of inspection, had 598 men out of a total strength of 800; while the regiment had sent 188 men to the Army. Fourteen only of their total establishment were wanting, and only two of their Reserve men failed to join the colours. Militiamen who had joined the Army were liable, under an Act passed by General Peel, to serve the remainder of their five years with the Militia. He (Mr. Hayter) was not alone in thinking that a great many of these men might be disposed to change the terms of their engagement, if admitted to do so by a short Act to be passed for that purpose, and join the Army Reserve. They had possibly contracted a taste for soldiering amongst the comrades with whom they had been thrown; and, at any rate, should be allowed an option as to continuing their service with the colours. If only the half of their number joined the Army Reserve, that Reserve would be risen at once to more than double its present proportions. As for the Militia Establishment, it was really a War Establishment; and he would ask, whether it was advisable to keep up a nominal War Establishment which within the past three years had not been approximated by 17,000, 18,000, and 20,000 men?

Lord ELCHO said, he was glad that the subject had been brought forward, seeing that it affected a Force which had been said to be, and which he believed really was, the backbone of the Army; and he regretted that the Government had not taken steps to prevent things remaining so long in their present invertebrate and unsatisfactory state. The Force had always been short by 20,000 or 30,000. The remedy proposed was reduction; but the Secretary of State and the Government of the day had allowed things to remain in this condition, and had not taken the necessary measures to keep the Militia Forces in a thoroughly healthy state. With regard to the suggestion to reduce the numbers, he was afraid that if such a proposition was carried into effect, the numbers would get small by degrees and beautifully less. He considered it to be the duty of Government, who were responsible for these matters, to take such steps as the Constitution placed at their disposal to bring into the Force, by inducements or otherwise, a sufficient number of men to keep up the establishment. When General Peel created the Militia Reserve, his intention was that it should be maintained in excess of the established strength of the regiments, and that for every man who volunteered from the Militia to join the Reserve, the colonel of the regiment should be allowed to raise another to fill his place. He ventured to say that such a course would be found beneficial.

Colonel NAGHTEN said, he knew what trouble and expense asking for Returns caused; but, nevertheless, he would like to know how much Militia Reserve men had cost? They were all astonished and delighted at the way the Reserve men answered to the call; but he could not help thinking the same number of men, or more, might have been obtained by giving £2 or £3 bounty to single men, who had served two or more years in the Militia; and, by that means, many married men would not have had to leave their wives and families on the parish, and a good deal of money might have been saved to the country. He would suggest the re-opening of the retirement scheme to the adjutants under the old system; and those adjutants who had joined as young men, and wished to remain on, might be allowed to count their former Army service and Militia service for honorary rank, as given to Militia officers. It would be a great advantage to all ranks to know what description of quarters a regiment would have to occupy beforehand, as almost every year he knew, from experience, that within 24 hours of being called out the officers did not know whether they were to be quartered in billets, forts, or under canvas. If the War Office authorities and the Quartermaster General's Department would think over this matter during the winter, and more consideration was shown to the Militia, it would increase the popularity of the Force.

Sir WALTER B. BARTTELOT agreed with his hon. and gallant Friend that it was the duty of the House to support the Comptroller and Auditor General in every way they could. Having served on the Public Accounts Committee, he well knew the value of that gentleman's Report. The Committee looked most carefully into any item brought before them, because they thought it was their duty to prevent any money which had been voted by the House for one particular purpose being appropriated to any other purpose. He, for one, objected most strongly to the way in which the £3,500,000 was voted. When money was voted in a lump sum, the House had no control over the expenditure of it. With regard to the Militia Reserves, he thought that the men who had been called out ought at the end of their temporary service to have the option of joining the Army Reserve if they proved themselves efficient soldiers. This would have the effect of adding nearly 30,000 men to the Army Reserve, though the men elect to go into that Reserve, and would also enable the Militia to be filled up to its proper number. A slight alteration of the existing Act would be necessary in order to make this possible, but he thought there would be no real difficulty in effecting what was necessary.

Mr. SHAW LEFEVRE said, he thought it would be as well to postpone the further consideration of the question until after the Public Accounts Committee had reported. As he understood the matter, a sum of £300,000 was voted for the purpose of constructing a tactical camp in the North of England; but only a small portion of land had been bought in furtherance of that object. The War Office, however, had appropriated £150,000 of this money to extend the camp at Aldershot, and had purchased two or three commons, which were at present just as much at the disposal of the troops at Aldershot for the purposes of manœuvring as they were at the disposal of the public for recreation. That proceeding appeared to him to be very unwise, and he certainly must protest against money voted by Parliament for a specific purpose being diverted into a different channel. He hoped the question would not be finally settled until after it had been considered by the Public Accounts Committee and reported upon to the House.

Mr. DILLWYN said, he was glad that a supporter of the Government had brought forward a subject in which the conduct of the Government had been called in question. It was highly necessary that Parliament should look more closely after this matter. The various Departments were too ready to lay hold of unappropriated balances, and transfer them from one purpose to another.

Colonel NORTH supported the suggestion of the hon. and gallant Baronet the Member for West Sussex (Sir Walter B. Barttelot) that the men in the Militia Reserve should be allowed the option of joining the Army Reserve, if they chose, after completing their term of service with the Force to which they belonged. The Militia Reserve had come forward on this occasion in a manner that was deserving of all praise. It was generally supposed that the Reserves of the Army and the Militia were due to Lord Cardwell; but the credit in connection with the Militia Reserve was due to General Peel.

Mr. CAMPBELL - BANNERMAN said, there could not be a more important point connected with the whole range of the Army Estimates than that to which his hon. and gallant Friend (Mr. Hayter) had drawn attention; and he thought that the hon. and gallant Gentleman had done well to treat it separately before the House went on with the Estimates, lest it might then have been swallowed up in the consideration of other matters. The whole subject of the position of the Militia Reserve and of the establishment of the Militia must, of course, come under fresh consideration now that the Reserve Forces had been actually called out. The noble Lord below the Gangway (Lord Elcho) had spoken of the Militia in terms of high praise, as being the old Constitutional Force and the backbone of the Army; but he had also alluded to it as being invertebrate. It appeared to him that that was an expression which had been somewhat misapplied, because, all that had been proved by his hon. and gallant Friend (Mr. Hayter) was, that the backbone was somewhat shorter than it ought to be. No fault was found with the backbone so far as it went. Had they required any means of testing the efficiency of the Militia, it would have been found in the condition of the Militia Reserve men who had joined the Army within the last few weeks. There was the extraordinary fact that not only those men had obeyed the call which was made upon them in such large numbers, but also that they had turned out to be men in every respect qualified to take their places with the Regular Army. That was not due to the fact of their being Militia Reserve men, but to the fact of their being Militiamen; and it proved that the training of the Militia was such that under it a man of intelligence was enabled to stand alongside of those who constituted the Regular Army. That was an important fact, and it was one which was encouraging and satisfactory in every aspect of the matter. The question as to what was to be done with the establishment of the Militia, whether that establishment ought to be reduced, and the Militia Reserve men to be treated in future as supernumerary to it, or whether they should in future, after being called out and serving in the Line, have the option of being passed into the Army Reserve, and other questions which had been raised in the course of the discussion, were unquestionably of great importance, and required grave and deliberate consideration; but all that he and others who were interested in them could do at present was to direct attention to them, and especially the attention of the Secretary of State for War, without expecting the right hon. and gallant Gentleman to give any opinion just now as to what he thought ought to be done in connection with them. He believed that the War Secretary must have derived some assistance from what had been said on this occasion. As to the point which had been raised by the hon. and gallant Member for East Aberdeenshire (Sir Alexander Gordon), he certainly thought there was some need for explanation. Power had been taken under the Act to expend a certain sum of money upon "a tactical training station," and, undoubtedly, it was intended that that station should be in the North of England. Insuperable difficulties, however, appeared to have arisen; one site after another had been proposed, only to be rejected; and the question which he thought the Government ought to clear up was this—all that being so, why did they expend the money upon Aldershot, instead of leaving it unexpended, when they found that it could not be applied to the purpose for which it was originally designed? No doubt, Aldershot was technically and literally a tactical training station; but, apart from the question of the rights of commoners, which was mixed up in the matter, it remained with the Government to show that the expenditure of this particular money in that locality was really within the proper purview of Parliament at the time the Act was passed.

GENERAL SIR GEORGE BALFOUR said, he felt sure that the country was greatly indebted to the hon. and gallant Member for East Aberdeenshire for having raised the question which he had that evening brought before the House, of using public funds voted for one purpose to another purpose; and though it was not likely in the present day that any personal abuse would arise, yet this division of funds was nothing less than misappropriation. He (Sir George Balfour) had on various occasions found in that House the misappropriation of money voted by Parliament. He had suggested that the power of making transfers of money from one head of the same Vote to another head of that Vote should be withdrawn from the Departments, and the power lodged with the Treasury when Parliament was not sitting to provide for the then requirements of the Service by an assignment of funds suitable for the Service. The voted sum no longer needed for the purpose sanctioned by Parliament should then absolutely lapse. Until that was done Parliament would not be able to prevent money being transferred from one purpose to another entirely different from that which Parliament intended. The Comptroller and Auditor General had more than once protested ineffectually against such transfers. He hoped in future the express purpose for which the money was required would be inserted in the Estimates. He made this remark because the £3,000,000 Vote for the Localization of the Forces was put before Parliament in a form so condensed and so obscure, that it was difficult for Parliament to compare the application of the funds in detail, with the brief and obscure entries in the original Estimate. Indeed, he had discovered expenditure out of that Vote which was not only not covered by the entries in the Estimate, but was opposed to the financial rules which were formerly laid down for the management of the financial business of the country With regard to the Motion of the hon.and gallant Member (Mr. Hayter) he would urge that the greatest latitude should be allowed to men to join the Reserves.

COLONEL STANLEY said, he must fully recognize the kindness which the House was in the habit of extending to individuals holding the Office he now held, provided the statements they had to make were satisfactory. Although he might differ in some matters of detail from the views expressed by the hon. and gallant Member behind him, still he concurred in the general opinion that he had advanced, that all possible attention should be paid to the advice of the Auditor General in respect of matters which came under his notice officially. During the tenure of Office by Lord Cranbrook the system of a test audit was for the first time introduced; and he believed the First Lord of the Treasury had been communicated with respecting the application of the same principle to the accounts of his Department. He was, therefore, entitled to say that the Government would by no means be opposed to the system of audit. That system was good up to a certain point. It was the duty of the Auditor General in his Report to state, as an independent officer, his opinion as to the validity of a charge, and as to whether the vouchers and other documents connected with it were satisfactory. It must not be forgotten, however, that behind him there was a body which was regarded with great deference by that House—namely, the Public Accounts Committee. The Report of the Auditor General was laid before that Committee, which carefully investigated all matters that were fairly open to challenge. Not being a Member of that Committee, he was unable to state positively whether the Report had come before it this year, but his impression was that it had, and that it passed either without any remark at all or with a mere casual question. After all, what was the actual state of the case? Certain large sums were reported to the House for the localization scheme of his noble Friend Lord Cardwell. In that amount was included a sum for a Northern tactical station. Reasons had been adduced both by Lord Cardwell and his Successor (Lord Cranbrook), showing why it was impossible to apply that money to the purpose for which it was originally intended. What with mining rights, the character of the soil, the difference in climate, and other difficulties, it had been found almost impossible to meet with land at a low level in the Northern parts of this country with a sufficient area of open space to afford a tactical ground which would be of practical value. Over and over again it had been thought that such and such a place would answer the purpose. One was found to be cut up with mining and other rights which would interfere with its free use, while another was found to be on too high a level with such inequality of ground as to render it practically useless. These difficulties occurred year after year, and the completion of a Northern tactical station became more and more pressing. Therefore, his noble Friend, looking at the use to which this money was originally destined, and regarding as a secondary consideration the locality in which that use was to be exercised, thought that he should be acting in the spirit in which the money was voted if he applied it in increasing the existing training grounds, and in giving opportunities for regiments in the North to be trained at the great training grounds which they already possessed. The question had been before Parliament on many occasions. In 1876 his noble Friend distinctly stated that the question mentioned by his Predecessor of a tactical station in the North of England still remained in abeyance; but he added that negotiations were going on for the purchase of land suitable for the purpose. Inasmuch as some of the money had been applied with the consent of the Treasury to an extension of land at Aldershot, where Northern regiments could be trained, he thought he might claim that the spirit, if not the letter, of the Vote had been fulfilled. With regard to the remarks of the hon. Member for Reading (Mr. Shaw Lefevre), he thought his hon. Friend, when he objected to give to the War Office power over the land at Aldershot, seemed to forget that a much smaller area would be placed under the control of the Department than it was originally intended to obtain in another place. As regarded the transfer from one Vote to another, that was in itself a most important matter; but the power of transfer with the consent of the Treasury was expressly given to the Naval and Military Departments by Act of Parliament. His hon. and gallant Friend opposite (Mr. Hayter) had called attention to the manifold deficiencies which, unhappily, continued to exist in the establishment of the Militia Force. Now, as far as the scope of his Resolution went, his hon. and gallant Friend was teaching a very willing disciple; for his hon. and gallant Friend cited as his text the Report of a Committee over which he himself presided two or three years years ago. Undoubtedly, the discrepancy existing between the establishment and the enrolled members of the Militia, showed a state of things which was far from satisfactory. At the same time, it should be borne in mind that the conditions under which the Militia served rendered it impossible to contrast with fairness and accuracy the number of absentees with the absentees from ordinary regiments. He ventured to say that if the men in a regiment of the Line were allowed to go back to civil life for 11 months in the year, that circumstance would, to a great extent, account for many of these absentees, although he freely admitted that even then there would be a large number of whom it would be impossible to give a satisfactory account. His hon. and gallant Friend had taken three principal classes—from the metropolitan, the mining, and the agricultural districts respectively. Now, it should be remembered that at the present time the Militia was at about its worst. Considerable disturbance was given to that Force by Lord Cardwell's scheme for the localization of regiments, which, for some years, he was sorry to say, produced among the men an indifference to comply with those engagements into which they had formally entered. The men, instead of being in the pleasant places they expected, found themselves suddenly transferred far away to the middle of a large camp or garrison, to perform duties very different, perhaps, from those which they looked for when they joined. But though, on the whole, the localization scheme appeared to be very carefully worked out, he did not feel sure that the original allocation of the Militia regiments was such as, after more experience, could be accepted without some slight modifications. He always entertained the opinion that those who framed the regulations must have had some vague notion of compulsory service, inasmuch as their calculations were founded, not on the number likely to enlist, but on the number of males in the district. However, the regulations could not be altered without careful consideration. Then, in the metropolitan and other districts in the neighbourhood of large towns, there was another class of absentees. In those districts they must always reckon upon losing a certain percentage. The class of men enlisting were taken from a shifting population, and owing to the fluctuations of labour, the opening of fresh pits, and other causes, the men went to other districts or to sea. Of course, every effort was, and would still be, used to trace accurately where the men went. He had no doubt, however, that some regiments returned as absent from training men who had been up for training and had been afterwards sent down. That he knew to be the case. With regard to the question whether it would not have been better, instead of giving a larger bounty to the Militia, to let the money accumulate in a fund, and then give a larger bounty when men were wanted to volunteer for the Line?—that subject had been considered by the Committee to which reference had been made, and it had been found to be an unsatisfactory proposal. The fund would accumulate indefinitely, demurs would naturally be made to the money lying idle from year to year, and it would never be known what was the actual number of men on whom they could rely. If a large bounty were given, it would be given with their eyes open to all the evils, which were now condemned, of the former bounty system. Considering the various classes of employment in which the men were ordinarily engaged, the result, on the whole, of the organization of the Militia Reserve was not unsatisfactory. The total strength on the 1st of April, 1878, was 25,111; the number who reported themselves at the Militia head-quarters was 23,372; the number who failed to report themselves was 1,739. Of those who reported themselves, rather a large proportion—2,026—were found medically unfit, some temporarily, some totally; but the medical examination, being a military one, was rather severe. The number of men, therefore, who joined the Army was 20,296. Of the 1,739 who failed to attend, 420 were accounted for, and 1,319, or about 5 per cent of the strength of the Force, were unaccounted for. All things considered, and this being the first time they were called out, that percentage was not unsatisfactory. There were taken into custody 161, discharged for fraudulent enlistment 72, dead 61, sick 54. With regard to training, these men of the Militia Reserve were fit to take their places side by side, not only with men of the Line, but with men of the Guards. The illustrious Duke at the head of the Army had informed him that he had seen with great satisfaction that the men who had been sent down to the Guards' depôt were scarcely distinguishable from the trained soldiers among whom they had taken their places. Then, as to the point whether it was advisable to keep up a war establishment, the Committee were of opinion that the Militia establishment should practically be a war establishment, and he thought the result had justified that opinion. When the Militia Reserve men came to be suddenly drafted off, it was desirable that the commanding officers who lost some of their best men should beforehand be able to know what men permanently belonged to them, and it was thought preferable that 25 per cent should be borne as supernumerary. A very important point had been raised—namely, whether Militia Reserve men, having come up to the colours, should be allowed to go into the Army Reserve instead of going down as supernumerary to the Militia? Without any wish to discourage the Militia Reserve, or to prejudge the question, he must ask the House not to be carried away by their natural sympathy for these men, who did their duty so well. It should be borne in mind that the terms of the Army Reserve were made very different from those of the Militia Reserve, avowedly because they had a different class to deal with. In the Army Reserve they had trained soldiers; the Militia Reserve was not composed of the same class of men; and it seemed, therefore, natural that there should be a different rate of pay for the highly trained men. He hoped he had not trespassed unduly on the attention of the House, in endeavouring, as far as he could, to meet the various questions which had been raised. He should be prepared to answer any other Questions which might be put, and he hoped the House would now consent to go into Committee of Supply.

Mr. BIGGAR objected to any Department having the power of devoting any grant of money to a purpose other than that for which it had been voted. He believed that some of the Militia regiments, especially those in the North of Ireland, were thoroughly worthless, and that, in case of emergency, instead of being a source of strength, they would prove the very reverse. He would recommend that the Government should do something to improve the *morale* of the Force.

Colonel ARBUTHNOT said, that as he was not in the House when the Army Estimates were last under discussion, he might, perhaps, be allowed to say a few words. He thought the manner in which the Army Reserve had responded to the call which had been made for their services was highly creditable to them and eminently gratifying to all concerned. For this result they were greatly indebted to Lord Cardwell, whose legislation upon this subject was based on sound principles. That noble Lord had made very large changes, but he left Office before he had time to reconstruct or replace what he had demolished. To his Successor belonged the credit of having provided a system of promotion and retirement for officers in place of what had been abolished; and he provided such attractions for the men as not only filled the ranks with the usual number of recruits, but supplied the extra number required by short service. He altered the system of organization in the Royal Artillery; he took steps very materially to improve the condition of the administrative Department of the Army; he altered the system of education at Sandhurst; and, above all, he did away with the ridiculous and mischievous restrictions on exchanges. There were, however, many difficult matters connected with our military system, some of them arising out of the changes recently made, still awaiting settlement. He believed that the Secretary of State would have to reconsider the policy of both his Predecessors with respect to the Medical Department, and that the warrants now in force would have to be repealed. Then he would inevitably have to re-adjust the pay and allowances of officers. While there were two systems of promotion in force, purchase and non-purchase, each having their own advantages, it was all very well that what were called the scientific branches should be at some disadvantage; but now those branches must be placed at least on an equality with the others. Indeed, special advantages should be given them, if they wished to keep up their standard. At the examination for Woolwich in March, there were 92 candidates for 40 vacancies. Of these 92, only 45 qualified in the preliminary examination; while last November 476 candidates competed for 91 vacancies at Sandhurst, of whom 125 failed to qualify. The remedy must also be found for desertion. The most efficient mode of dealing with it, in his opinion, would be to resort to the old system of marking with letter D. A sentimental objection existed, however, to this, owing to a misconception that men were branded like cattle, as had been said, and that it was a painful process. It had been suggested that all who entered the Service might be marked with a Broad Arrow or Crown, to which officers would, no doubt, gladly submit; but he scarcely thought it logical to make rules under the operation of which good men would come to protect us from the crimes of the bad. Instead of imprisoning deserters, he would like to see them confined to barracks till they could be sent to India or the Colonies, whence they could not desert. If removed from the temptations incidental to English life, most of them would become good soldiers. The next point to be considered was how Indian reliefs were to be kept up under the short-service system. He would suggest that all men should do their first term of six years on the English establishment; that they should then have the option of joining the Reserve, or going for six years to India, in which latter case they must, of course, receive some gratuity or other inducement. He regretted that the Government had not accepted the offer of a portion of those 10,000 troops made by the Dominion of Canada. It would have been a grand spectacle to see the East and the West uniting in defence of the Empire. He should like to see some change introduced whereby the Forces of the Crown, on occasions of emergency, could be made available without the inconvenience and scandal attending discussions in the House on the question, and suggested whether the case could not be met by an additional clause in the Mutiny Act. He would also suggest the desirability of considering whether the Native Indian troops should not be enabled to extend their travels to this country. [" Oh, oh!"] There were differences of opinion on that subject; but he had consulted soldiers of high rank, Indians both military and civil, and Colonial Governors, and he had found that, with one exception, they were of opinion that the money would be well spent in bringing a portion of the Indian troops now at Malta to this country for a short visit, to participate in the duties of the home troops, and to mount guard at the Queen's Palaces. It would gratify the people of India and promote the unification and consolidation of the Empire, over which they were in the habit of boasting that the sun never set.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—ARMY ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) £256,500, Medical Establishments and Services.

MR. PARNELL said, he wished to ask the Secretary of State for War, whether the Vote included any charge on account of Hospital services in connection with the brigade of Guards? He might mention, by way of explanation, that whilst discussing the previous Vote, before the right hon. and gallant Gentleman came into his present position, the then Secretary of State for War stated that a portion of the Stock Purse Fund only was put down in Vote I. under certain headings, and that the remaining portion of the Fund was distributed throughout the other Votes. He (Mr. Parnell) was anxious to know in what Votes the remaining portion of the Stock Purse Fund appeared, as he had not been able to trace it?

COLONEL STANLEY said, that that portion of it which related to medical purposes such as Hospital expenses was included in the present Vote; but he could not at that moment recollect under what heads the remaining portion of the Fund appeared.

MR. PARNELL said, the precise information he wanted was this—whether the Vote included any charge on account of Hospital service in the brigade of Guards?

COLONEL STANLEY said, he would endeavour to answer the question. He believed that the Stock Purse defrayed all the medical charges of the Guards; but whether the actual surgeons doing duty there were included he was not able to say. His impression, however, was that they were.

MR. PARNELL said, the right hon. and gallant Gentleman did not seem to be aware that the original Stock Purse Fund, known as such, had been broken up into portions and distributed amongst certain items in the Votes. He had been successful in tracing two items in Vote I., and, perhaps, he might be allowed to refer to them, as they might be a guide to the right hon. and gallant Gentleman. In Vote I., there were, according to page 16, three portions of this Stock Purse Fund included—namely, £2,610 for contingent allowances, &c.; £700 for allowances in aid of band expenses; and £6,910 for the profits of the field officers of the Foot Guards, in the shape of extra pay. Perhaps it would be better to take the items in order as they appeared in the Vote. The first was Infantry and Foot Guards' profits of the field officers, in the shape of extra pay, £6,910; then, under the head of contingent allowances, deducting stoppage for repair of arms, £2,610; and then, under the head of allowances for band expenses, came the sum of £700. These were all the items which stood opposite an entry under the head of Infantry and Foot Guards, and it was found out, in the course of the discussion of Vote I., that these items were paid out of the Stock Purse Fund. The right hon. Gentleman the then Secretary of State for War further informed the Committee that the remnants of the Stock Purse Fund, which amounted to considerably more than these three items—the total amount of the Fund being £13,190—were distributed among the rest of the Votes. According to a Return, which had been produced at the instance of the hon. Member for Clonmel (Mr. A. Moore), he found that the remainder of the Fund was applied to Hospitals and recruiting purposes. The sum of £8,929 was applied to Hospital purposes for the brigade of Guards, and the sum of £145 was applied to recruiting purposes for the same brigade of Guards—making a total of £9,074. He had been very anxious to trace this Vote and to find out what had become of the different items of this Stock Purse Fund, and he would have been able to obtain information, no doubt, if the former Secretary for War had been still in Office. At present, he would direct the attention of the Secretary for War to page 29, which referred to the present Vote—Vote IV. He found, under the head of allowance to private medical practitioners and medical bills under sub-head C for home purposes, an item of £5,340; and for Colonial purposes, £5,840. There was an increase in the item for home purposes for last year of something like £2,300, and an increase in the item for last year for Colonial purposes of something considerably more than that. He could understand that the Vote for Colonial purposes would be still more increased by the War at the Cape; but he could not understand the reason for the other increase; and, in any case, he could not account for the sum proposed to be applied. In the Return produced at the instance of the hon. Member for Clonmel, there was a sum of £3,000 odd, which was stated to be taken for Hospitals in connection with the Guards. He wished to know what had become of the sum applied to the Hospitals of the Guards?

Colonel STANLEY was afraid that he was not able offhand to trace that particular item. If he had been in the House when the previous discussion took place, his attention would have been directed to the subject probably; but, unfortunately, he was not. He thought the hon. Member would find that provision was taken for part of this Vote in the shape of Hospital services in one Vote, and in other shapes in regard to the other Votes. [Mr. Parnell: Which Votes?] The hon. Member would see that provision was taken for Medical Services in Vote IV., and so on, in regard to the other Votes. He was unable to give more precise information at the present moment; but if the hon. Gentleman would put the question on the Report, he would then be able to give him every information in regard to the matter. He believed the way in which the Vote was applied was traceable, though in the form in which it originally stood in Vote I., it was, unquestionably, open to some doubt. He would repeat the answer he had given to a previous question—that his impression was that the Hospital services of the year were recorded in the Vote about to be taken.

Mr. PARNELL said, the difficulty he found himself in was this—that the whole of the Stock Purse Fund had been broken up. It was originally in one lump sum of £13,190, and a Return was moved for by his hon. Friend the Member for Clonmel (Mr. A. Moore), asking for further details as to the appropriation of the Fund and the application of the money. When the Return appeared, it was found that it only accounted for a very small portion of that sum of £13,190—in point of fact, it only accounted for £502 18*s.* 4*d.*, for pay and allowances, apartments for the field major, fuel and light, recruiting, proceedings at courts martial, &c. Altogether there were five items, and they amounted to £502 18*s.* 4*d.* But the vast bulk of the sum of £13,000 was not accounted for at all, and was still put down as the Stock Purse Fund; so that, as far as any information to be obtained from the Return was concerned, they might just as well have been without it. In consequence of the futility of the Return, his hon. Friend moved for another. The second Return went much more into detail, but did not clear up this extraordinary matter, which was of a very complicated character, and very much required to be cleared up, and with regard to which he would suggest by-and-bye a way of clearing it up. In the second Return obtained by the hon. Member for Clonmel, he found that this sum of £11,000 and odd, not accounted for in the preceding Return, was accounted for in the following manner:—The Hospital services of the Guards were to get £8,929, recruiting services £145, band expenses £1,360; in addition to which there was an item of £970 for Staff allowances to non-commissioned officers, and an item of £6,708 5*s.* 6*d.* for average profits of field officers and captains. It was not his present purpose to object to these large profits of field officers and captains, though he thought they should be done away with after the present officers ceased ts hold their offices. He wished more particularly to direct the attention of the right hon. Gentleman to the Hospital branch. They had there the expenses of hospitals, and a number of contingencies—wages, washing, fuel, light, repairs, &c., amounting altogether to a sum of £8,029. Now, that amount had been stowed away somewhere, and he did not know where. It was not in Vote I., because they had accounted for the item, and he thought that a considerable portion of it must be in Vote IV. The difficulty he felt was this—that when the Report was brought on, it was always difficult to discuss a question of this sort, because the Report itself was not brought up until very late. He would suggest to the right hon. and gallant Gentleman that, if he were unable to point out in this Vote for medical establishment and services what portion of the sum of £8,000 and odd was included, he should postpone the Vote until some future day.

COLONEL STANLEY said, he could not accept the suggestion. He had already endeavoured to explain, though, he was afraid, without success, to the hon. Member, that, so far as he was aware, charges which were made upon the Stock Purse Fund, except those which were included in Vote I., already voted, were distributed among the separate Votes of the Estimates—that was to say, in the Hospital Vote. The item for provisions, light, forage, fuel, and so forth, belonged to the Stock Purse Fund. He was not able to say precisely the amount of the charge included in each Vote; but if the hon. Member would be good enough to repeat his question on Report, he should be glad to give every information. In the meantime, he had endeavoured to answer the question, by stating that, to the best of his belief, the medical officers were included in the previous Vote—that was to say, that the medical expenses were included in the present Vote; and that the rest of the Stock Purse charges, such as fuel, light, &c., were to be found in the other Votes.

COLONEL ARBUTHNOT said, he had intended to raise a question touching the Medical Department upon this Vote; but when he saw a matter brought forward in such a cavilling spirit, he had changed his mind, and abstained from occupying the time of the Committee with the subject. He was anxious to do all he could to forward the Estimates; but he reserved to himself the right of using an independent Member's day for the purpose of calling attention to the state of the Medical Department. He wished his right hon. and gallant Friend to regard this intimation as made in a friendly, and not in an unfriendly, spirit. He had no wish to interfere with any of the steps that were now being taken for the re-organization of the Department. His only object was to improve the present state of things.

LORD ELCHO said, he had listened to what had been brought forward by the hon. Member for Meath (Mr. Parnell), and he could not help agreeing that the question was a very important one. On the other hand, it was not desirable that they should unduly interrupt the Supply. It appeared to him that the question had been fairly met by the offer of the Secretary of State for War. He would, therefore, suggest to the hon. Member for Meath that he should allow the Vote to pass, on the understanding that the information would be given on the Report.

GENERAL SIR GEORGE BALFOUR said, the hon. Member for Meath had a perfect right to ask for information. It was certainly within his (Sir George Balfour's) own knowledge, that the origin of all the evil was allowing the Guards to conduct their own hospitals out of funds levied from the soldier. In point of fact, the Guards had been allowed, from time immemorial, to manage their own services in connection with the recruiting and hospitals. The personal allowances given to the officers of the Guards for being on duty in London, or liable to be on duty, was wrong. If the London duty was undertaken by a battalion of the Line, then the officers were also entitled to allowances; but these were fixed and regularly paid out of the voted monies, whereby the Guards raised funds under the old and objectionable form by stoppages from the pay of the men, and the consequence had been a confusion of accounts, as well as a suspicion that these were doings which could not be laid open to the country. The Secretary of State for War had now, with the honesty that was his characteristic, proposed to give all the information asked for, and he thought the hon. Member for Meath ought not further to oppose the Vote.

Mr. PARNELL said, the only reason why he appeared to hesitate about accepting the offer of the right hon. and gallant Gentleman was, because he very much feared, from what he had previously seen in regard to the question, that the right hon. and gallant Gentleman would not be able to give him the information he required. The subject was really in such a ravel and a tangle, that until a new arrangement was made to place the officers of the Guards on the same footing as the officers of the rest of the Army, it would be impossible to make head or tail out of this question of the Stock Purse Fund. This last attempt of the Government to distribute the items among the other Votes, instead of making them one bulk sum, only made confusion worse confounded. In point of fact, he did not think the right hon. Gentleman knew very well what he was talking about, when he answered the question in the first instance. The money was obviously hidden away, and where, as the right hon. and gallant Gentleman himself admitted, he did not know.

Mr. BIGGAR said, the difficulty that was found in connection with all these Votes was this. The hon. and right hon. Gentlemen who had charge of the different Departments were almost all new to their particular positions, and were quite as destitute of information as the House itself. He did not wish to make any specific charge against the Government on this question, because he was disposed to make every allowance for the Secretary of State for War; but it was a very serious position to find themselves placed in—that on all occasions when a question was asked in reference to different Departments they should receive the same answer from the hon. and right hon. Gentlemen in charge of them. The evil was that they came into Office since the Estimates were framed, and that they did not know anything about them. Whenever information was asked for, the practice was to say—"I really don't know anything about it; but, if you will postpone the question until the Report, then I will give you the information required." When the Report came on, if they repeated the question, they were told that it would be wasting time to discuss it, and that the only time for raising the question was when the Vote itself was brought forward. He would suggest to the Government that it would be well to postpone all these Votes, until the heads of the different Departments got to know something about the subjects they had to bring before the Committee. As the matter existed at present, there was a frightful waste of time involved, because the Committee were unable to get any information; and at the same time, the non-official Members, who really knew a good deal more about these matters than the heads of the Departments, did not wish to press too hardly upon Gentlemen who were new to their Offices. At the same time, he really did think that that system of asking time after time for the postponement of questions until the Report, when it was well known there could be no opportunity for discussing the question, was most objectionable, and ought to be given up.

Major NOLAN was sorry that the hon. and gallant Member for Hereford (Colonel Arbuthnot) had not brought the question of medical officers before the Committee. He also regretted that the Members of the Medical Profession who were also Members of the House, and who sat principally on the Opposition Benches, were not present when that Vote was under discussion. In their absence, he desired to bring forward a question which considerably affected the interests of medical officers, and which had been a subject of comment during the last two or three years, It was alluded to very recently in a letter that appeared in the newspapers from Dr. Corrigan. The question he referred to was that of providing a supply of surgeons for the Army. It was a question in which great interest was taken by the Medical Profession generally, and particularly by what might be called the Medical Schools. The Irish Members had a good deal of interest in the matter, because a large proportion of the surgeons of the Army came from Ireland. The letter he referred to really summed up the whole subject. It showed that there was at present a great want of medical officers in the Army, and it put forward as the chief reason, not the want of pay, or of material advantages, but the fact that the medical officers in the Army were not properly treated. One grievance was that they were required to cease to be members of regiments and members of messes, this being carried out by an Order of the Secretary of State for War. Personally, he (Major Nolan) had taken great pains at various times to put the question to various Army surgeons he had been brought into contact with, and he certainly found that all the younger members were unanimous. The older members of the Army Medical Profession took the same view, although perhaps not so strongly. All the younger medical men, however, felt very strongly indeed upon the fact that at the present moment they were not members of regiments, and had no *locus standi.* They found that when they went into a mess they had, as it were, no home. An ordinary officer had his home and his mess, to which he could ask his friends, but the Army medical officers were only there on sufferance, and could ask no friends. He hoped the right hon. Gentleman would read the very important letter to which he had referred, which fully summed up the views of the surgeons in the Army. He (Major Nolan) had no doubt that it was a real grievance, and the effect of it was witnessed by the diminished number of candidates for appointments in the Army. He believed that if it went on much longer, the Army Medical Department would drift into a state of hopeless inefficiency. He was satisfied that the condition of the Medical Profession in the Army would be much different if the Government would adopt measures for improving the present status of the Medical Profession. If something of this kind were not done, the Army itself would suffer in the end; because, if the country went into war, the Medical Department would certainly break down. It would be of no use then for Her Majesty's Ministers to say it was not their fault; that they were anxious to employ the men, if they could procure them. It would be the fault of the Government entirely, if they did not take proper precautions to secure an efficient establishment in a time of peace. It was impossible to get an efficient Staff in a time of war, because it required a certain amount of discipline; and civilian practitioners, obtained on the spur of the moment, would require considerable time and training before they could be rendered efficient. He believed that the application of the regimental system, as far as medical officers were concerned, would be wise economy in the end. The hard work entailed by the business of an efficient Staff told hardly upon the private soldier as well as upon the surgeons themselves. At present, there were not a sufficient number of medical officers to enable them to obtain proper leave, and the whole of the Profession was in consequence greatly dissatisfied. He was sorry that his hon. Friend the Member for Galway (Dr. Ward) was not present, because he knew that he was anxious to bring the question forward. In the absence of his hon. Friend, he (Major Nolan) had ventured to introduce the question; and he would only add that, in regard to the medical officers themselves, they were all of them unanimous upon the subject. He wished to ask what steps the Government intended to take in the matter?

After a pause—

Major NOLAN said, that unless he obtained an answer to his question, he would feel it necessary to move that the Chairman report Progress.

Colonel STANLEY said, he had no wish to leave the hon. and gallant Member without an answer. He had only waited to see whether any other hon. Member was desirous of continuing the discussion. The House was already aware that his noble Friend and Predecessor (Viscount Cranbrook) had already referred to a small Committee the very important case of the medical officers of the Army, and had issued general instructions to that Committee to confer with all the large medical centres, with eminent physicians, and the principal medical councils, so as to ascertain really what in the eyes of the Profession were the practical difficulties in the way of obtaining a sufficient supply of medical officers for the Army. Of course, they all had a certain bias in the matter, and however carefully they might endeavour to weigh the question, they would have a prejudicial feeling either one way or the other. It must be borne in mind that the present system was adopted after very careful consideration. It was adopted mainly in consequence of the action taken by a number of the members of the Profession in the view of what they regarded as their grievances. His Predecessor in the Office of Secretary of State for War after weighing fully the representations of the Profession and considering how their grievances could best be met, came to the conclusion that they were only to be met by the rearrangement of the Medical Service on a basis very distinct from that which had hitherto obtained. Whatever merits might attach to the regimental medical services, Lord Cranbrook considered that it was not absolutely perfect with regard to the position of the officers in the regiment. Therefore, all these things had to be very carefully considered and weighed, in reference to how they would press in particular cases. He feared that it would never be possible so to deal with the matter as to do away altogether with complaints of grievances; but he should hail any opportunity that might arise of putting the gentlemen in the Army Medical Service on a satisfactory footing. At present he was speaking in the dark, because the position of medical men both in the Army and the Navy was changing from day to day, and he had not as yet had opportunity for consulting as many authorities as he should like to consult on such a subject before coming to a decisive opinion upon it. No one could have a more earnest desire for the amelioration of the service than he had, and he hoped he should receive such assistance as would enable him to put his hand upon any blot or defect in the system with a view to its removal; but, at the present moment, he did not think he would be justified in prejudging the question to any extent; at the same time, he was most anxious to consider it.

Lord ELCHO said, he wished to refer to a question affecting the health of the troops in India. A correspondence was going on between a general officer who had seen much service in India, the Medical Department, and the Commander-in-Chief, with reference to the hour at which dinner should be served to the troops serving in India. The general officer said he had found that by postponing the hour from 1 o'clock until 4 —a cooler part of the day—the regiment under his command had not suffered, to any great extent, from the complaints to which other European regiments serving in India were subject. He hoped the question would be carefully considered by the authorities.

Colonel ARBUTHNOT said, he should like to know, whether the Committee which had sat to inquire into the subject were likely to report shortly, and whether the Report was likely to be published, or whether the inquiry was merely a departmental one?

Colonel STANLEY said, he could not answer the question of the hon. and gallant Gentleman, because it would depend upon the form and not upon the substance of the answers given by the medical witnesses, whether their evidence could be made public. If it should appear that the evidence was not of a strictly confidential character, he should be happy to produce the Report.

Vote *agreed to.*

(2.) £535,400, Pay and Allowances of the Militia, including Militia Reserve.

Mr. HAYTER called attention to the large and increasing number of men absent without leave. In the year 1875 the number was 10,860; in 1876 it was 11,291; and in last year it was 15,007. The exact figures for this year were not yet available, but there had been an alarming increase already as compared with 1875.

Mr. CAMPBELL - BANNERMAN said, he thought the apparent increase was due to the fact that the Returns had in late years been made out in a different way as far as the permanent Staff was concerned.

Major O'BEIRNE wished to make a suggestion with regard to the fund which had accumulated, in the shape of fines for drunkenness, and which now amounted to about £4,000. He thought it would be well to expend this sum in the purchase of newspapers and periodicals, and in providing other forms of recreation, in order, as far as possible, to keep the men out of the public-houses during their periods of training.

Colonel LOYD LINDSAY said, the difficulty had been how to allot so small a sum as £4,000, so as to produce any real and practical benefit. A Departmental Committee was appointed to consider the matter, and it was determined on their Report to dispose of the money in the shape of small indulgences to militiamen during their periods of service.

Lord ELCHO referred to the debate which had taken place earlier in the evening upon the state of the Militia, and to the remarks which were then made by the Secretary of State for War. His contention was that the Militia establishment, when it was fixed in 1852 by the Government of that day, was fixed at a standard which was not believed to be a war standard, but the proper standard for the Militia of this country to be maintained at for our home defence. He hoped the strength of the Militia would be kept up, and that the present Secretary of State for War would not shirk his responsibility, as some of his Predecessors had done, but would ask Parliament either for more money, or for compulsory power to enrol men in the Militia. At the time to which he had referred, Mr. Walpole, the then Home Secretary, said the number of the Militia necessary for home defence was 80,000, and that if the number was obtained by voluntary enlistment, the Bill had been so drawn that there would be no necessity to resort to the compulsory clauses.

SIR ALEXANDER GORDON pointed out what he deemed to be a great injustice—namely, that money drawn from the fines paid for drunkenness by the Militia was distributed in the shape of gratuities to men in the Regular Army. This was a course likely to cause much dissatisfaction in the Militia, and it was a course, moreover, which, if he was correctly informed, had not received the sanction of the Treasury.

COLONEL ARBUTHNOT thought greater consideration should be shown to non-commissioned officers in the Militia when they were called upon to serve with the Regular Army. At present they only drew the pay of privates, although some of them were very valuable non-commissioned officers. He thought that, after a short period of probation, they should be allowed to receive the full pay of their respective ranks.

MR. PARNELL asked for some information as to the fact that there appeared to be a decrease of about 3,000 in the rank and file of the Militia as compared with last year?

COLONEL STANLEY said, the apparent decrease was, in fact, no decrease at all, and was due to the partial absorption of the regular Staff of the Militia into brigade depôts. As had been already stated, the amount of money received in the shape of fines for drunkenness had, on the recommendation of a Committee, been applied in the direction of recreation for the men by whom the fines had been paid. A Committee had just completed the consideration of the question as to the best means of utilizing the services of half-pay officers. The question was a very complicated one, and he had not at present had time to master the details of the Report. The matter should have his immediate attention, for he was anxious to hit upon some plan by which half-pay officers could be utilized in time of war.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

MR. PARNELL said, he thought the right hon. and gallant Gentleman the Secretary of State for War must have misunderstood the question which he had put to him with reference to the diminution in the rank and file of the Militia. That diminution amounted to 3,000 men, consisting of corporals and privates. The right hon. and gallant Gentleman had referred him to page 132 of the Appendix, which contained an account of all the different brigade depôts at home and abroad; but he found, on consulting it, that the strength of the Militia in those depôts was only 64 men, and it was obvious that the withdrawal of 64 men from their regiments to brigade depôts would not account for the deficiency in the number of the Force for this year and last year, to which he had called the attention of the Committee.

COLONEL STANLEY said, he was unable, at the present moment, to enter into any further details in explanation of the discrepancy to which the hon. Gentleman alluded, beyond the information which he had already given to the Committee.

MR. PARNELL said, it was somewhat remarkable that while the number of the rank and file of the Militia had been reduced by 3,000 men last year, there was an increase from £181,000 to £207,000 this year in the amount asked for for bounties and new enrolments. Another very curious point connected with the matter was, that according to the statement set forth in page 48, which gave the details of the charges for clothing, the sum required for the purpose this year was put down as only £117,955, as against £212,555 last year; so that, with a Force smaller by 3,000, there was an increase for bounties and enrolment of £26,000, while the charge for clothing was less. He was afraid the

Estimates had been very carelessly drawn. The right hon. and gallant Gentleman was not, of course, responsible for them, inasmuch as they had been framed long before he entered upon the duties of his present Office. On looking over them, however, he discovered traces of carelessness in almost every page, due, perhaps, to the system which prevailed at the War Office, which, no doubt, required re-organization. It was quite clear, at all events, that if the Estimates had been framed with that attention which ought to have been bestowed upon them, he would not have been able to point out such extraordinary anomalies as those to which he had just called attention.

Colonel STANLEY explained, that the payments in the shape of bounties had been increased, and that, as clothing was not served out every year to the men, there was a variation in the quantity supplied, which accounted for the charge under that head being less one year than another.

Vote *agreed to.*

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £74,400, be granted to Her Majesty, to defray the Charge for Yeomanry Cavalry Pay and Allowances, which will come in course of payment during the year ending on the 31st day of March 1879."

Major O'BEIRNE called attention to the fact that several officers of the Regular Army were serving as adjutants to the Yeomanry at home, while their brother officers were employed with their regiments abroad, running all the risks which resulted from bad climates and other causes. Those adjutants, too, derived all the advantages in the way of promotion which they would be entitled to if they had gone on foreign service, and in that way he thought a great injustice was done to those who had to bear the brunt of the Service.

Colonel STANLEY said, his noble Friend who had preceded him in the Office which he had the honour to hold considered that it would be very advantageous to apply to the Yeomanry the rule which had already been applied by Lord Cardwell to the Infantry—namely, to appoint as adjutants to the Force officers on full pay in the Regular Army, who would be entitled to hold those appointments only for five years. That was regarded as a fair line so far as the rest of the Service was concerned, and as not being so long as to render it probable that an officer would become rusty for the performance of his regular duties.

Major O'BEIRNE said, he thought the answer of the right hon. and gallant Gentleman was so unsatisfactory, that he should feel it his duty to take a division on the Vote. He, therefore, begged to move that it be reduced by the sum of £5,960, the pay of Yeomanry adjutants. He strongly objected to having an officer getting from £200 to £350 in one of those appointments, who had, perhaps, never served one day abroad. There was a rule, he might add, that the adjutantcy of a Yeomanry regiment should not be given to an officer with less than two years' service; but that rule had been very recently set aside in the case of the Royal Dragoons and the Carbineers.

Motion made, and Question proposed,

"That a sum, not exceeding £68,440, be granted to Her Majesty, to defray the Charge for Yeomanry Cavalry Pay and Allowances, which will come in course of payment during the year ending on the 31st day of March 1879." —(*Major O'Beirne.*)

Mr. BIGGAR was also of opinion that the answer of the right hon. and gallant Gentleman the Secretary of State for War was most unsatisfactory. The Vote appeared to him to be one which was liable to be applied in a direction to which he strongly objected—namely, that of undue favouritism. The practical result would be that the appointment in question would be conferred upon officers who happened to have political or other influence at their command, and who desired to be able to put in their time in England instead of taking foreign service in the same rotation as their brother officers. Besides, young officers would be far more likely to acquire a knowledge of their profession if they were to go with their regiments when sent abroad, than if they were to stay at home in positions, which, after all, were nothing more than semi-sinecures. For those reasons, he hoped his hon. and gallant Friend would press his Motion for the reduction of the Vote to a division.

Question put, and *negatived.*

Original Question put, and *agreed to.*

(4.) Motion made, and Question proposed,

"That a sum, not exceeding £485,300, be granted to Her Majesty, to defray the Charge for Volunteer Corps Pay and Allowances, which will come in course of payment during the year ending on the 31st day of March 1879."

MR. O'CLERY said, when he gave Notice of his Motion for the reduction of the Vote, it was his intention that it should be reduced by the sum of £16,663, the amount of increase in the present Estimate over the sum provided for last year; but he found that by so doing he should still be under the responsibility of sanctioning the payment for English and Scotch Volunteer Corps, while his countrymen in Ireland were debarred from the right of enrolling themselves as Volunteers. Of the sum of £485,300 required for the English and Scotch Volunteer Corps, it appeared that as nearly as possible the proportion of one-sixth part, or about £80,000, would have to be paid by Ireland. In view, therefore, of this contribution to Imperial taxation for the purpose of the Volunteer Service, in which the people of Ireland were not allowed to participate, and in order to secure to Ireland an immunity from this payment in the future, he was now compelled to move the reduction of the Vote by about six times the amount he originally intended—namely, £80,000—which would still leave Ireland under a very unfair amount of taxation. It appeared that the Vote asked for was made up as follows:—Pay to adjutants of Volunteer Corps, £61,000; sergeant instructors, £63,000; Capitation grants, £335,438; miscellaneous charges, £25,900; in all, £485,338. He did not object to the establishment of Volunteer Corps—on the contrary, he was strongly in favour of the claim of England and Scotland to possess them; and he held that it was the right of every free citizen of a free country to be trained to arms, a right that had been exercised and encouraged in England from time immemorial. He was also bound to admit, that since their establishment, notwithstanding the fact that every year a number of trained officers had found it absolutely necessary to throw up their commissions, the Volunteer Forces had continued to increase both in England and Scotland. The sum demanded annually for the Volunteers was constantly increasing. The Captitation Grant did away with the expense to the Volunteer individually, inasmuch as the Government paid his corps a sum which enabled the administrative of that corps to give him his training and outfit practically free of charge, provided he was at all efficient. But why were the Irish people debarred from sharing the advantages of a military training, while they were called upon to contribute a large sum annually for Volunteer purposes in this country? He believed that no charge of inefficiency had ever been made against those of his countrymen who had enrolled themselves as Volunteers in England and Scotland; on the contrary, it was admitted by competent authorities that two of the most efficient corps in this country were the Liverpool Irish Brigade and the London Irish Volunteer Corps; and he ventured to say that, as far as marching was concerned, those Irish Volunteer Brigades were not to be surpassed by any regiment in Her Majesty's Service, while he was sure their officers would resent any charge made against their personal bravery or devotion. He found no difference whatever existed in these respects as between his countrymen who were serving in England and Scotland, and those who remained in Ireland. On what grounds, then, should the Irish, living in Ireland, be deprived of the privilege of raising Volunteer Corps—a privilege which was of more importance to them than to the English or Scotch, because they were a more martial race? The latter, although a great commercial people, did not take to the pursuit of arms with the readiness of the Irish; and he would say, for the information of any officer, be he Irish, Scotch, or English, that the Irish Volunteer would learn his drill in a far shorter time than the English Volunteer. His sense of duty and discipline was higher than that of the ordinary English soldier taken from any county in this country. When it was found that the people of Ireland had the desire to be trained to arms, when it was seen that this natural desire was discouraged in every possible way, he was forced to the conclusion that a corresponding feeling of disgust at being thus debarred would arise in the minds of the Irish people; and he questioned whether it was to the interest of the State that such a feeling should be excited. The Irish Militia regiments had always shown themselves to be perfectly efficient and loyal, and it was to be remembered that they were, to a certain extent, recruited from a stratum of the people socially lower than the ordinary Volunteers, and that the Volunteers who were likely to come forward and offer their services in Ireland would be of the same standard as the Irish Constabulary Force, whose loyalty had been over and over again the subject of compliment — one hon. and gallant Gentleman having said that this Force, taken from the ranks of the people, was at that present moment, man for man, almost the finest in Europe. It was found from year to year that by their training and discipline they were becoming practically a military Force; and, at the present time, they were actually so in Ireland. The military taste of the Irish people was manifested by that body of horse police, and he would add that the police of this country would require a good deal of training before it attained to the efficiency of the Irish Constabulary. Why, then, should they not allow a Volunteer Force to be created in Ireland? He had devoted attention last year to the subject of the establishment of Volunteer Corps in Ireland, and by the permission of the House he had introduced a Bill for that purpose, modelled upon the Volunteer Bill passed in 1859-60, by which every restriction contained in the latter was to apply to the Irish Volunteers; but, as in the case of all Irish measures, he had found it impossible to bring this Bill to the stage of a second reading, and therefore allowed it to drop, with the intention of again bringing forward the subject in the form of a Resolution to the effect "that it was desirable to establish Volunteer Corps in Ireland." That, however, might not have been listened to, and it now seemed to him that the best way was to direct attention to the question in that Vote, because it must in that way receive the attention of the House, and there was no chance of its being shelved. This question of establishing Volunteer Corps in Ireland was one of very great importance. There had been a time when the Empire had on hand a great European war, such as was perhaps now before it, when the requirements of England were so pressing that she was compelled to withdraw all the troops from Ireland. At this time the Privy Council and the Parliament permitted the Irish to enrol Volunteers. The result was, although no Catholics could be officers in the Force, that in a single year, and at a time when the population of Ireland amounted to but 4,000,000, 100,000 men sprang to arms; and, looking at that percentage, he considered that it afforded fair evidence of the desire of the Irish people to come forward in defence of their country. The great reliance of the Irish Parliament was on that Volunteer Force, which would have continued to exist had not the English Minister, in his designs on the Parliament of Ireland, and with the intention of destroying the Irish Constitution, sapped its foundations, putting every obstacle in the way of its working, until the year 1796, when the Yeomanry Force was established instead, and the Ministerial plan was carried out. A state of mistrust then ensued; there were no Volunteer Corps in the country, and the Parliament by bribery and corruption sanctioned the measure by which Ireland lost her Constitution. At that moment the Irish regiments were true to their oaths and colours, and from that period to the present no Irish soldier in Her Majesty's Service had ever flinched in the time of danger. He would not say that had always been the case with English soldiers. Two or three years ago the hon. and gallant Member for Renfrewshire (Colonel Mure) publicly stated in that House that on the morning of the assault on the Redan, there were many recruits who flung themselves down in the trenches, and had to be twitted into something like manhood by Irish sergeants. It was, no doubt, a disagreeable thing to hear; but he must say that no Irish soldiers had ever to be so treated. He would now look at this question as affecting the defence of the Empire. For a considerable time past every English patriot had been thinking how best to make England present a very bold front before Europe, going even to the extent of bringing Indian troops to Malta; but all this time a very important portion of the Empire was left practically defenceless. That fact alone clearly showed where the danger to the Empire lay, and where was the vulnerable point of her armour. A Power hostile to this Kingdom would find in Ireland a people deprived of arms, denied their use in every possible way, and treated in a manner that would almost throw them into the arms of an enemy. He questioned whether this was a state of things to be passed over lightly. It had been often said that one reason why Volunteer Corps could not be allowed in Ireland as in England and Scotland, was the possibility of religious differences; but he had not found that the embodiment of the old Irish Volunteers led to any differences of this kind, nor did he doubt that precautions could easily be taken to prevent their occurrence in the future. It was true there were some districts in Ireland that had been disgraced by the manner in which the population observed certain anniversaries; but that was no reason why all Ireland should be denied the privilege of forming Volunteer Corps; but he thought it would be a good arrangement, if the districts in which these disturbances had occurred, were denied this privilege until they could show themselves worthy of it. He would now look at the case of a foreign State. In the year 1849, the same system was practised towards the ancient Kingdom of Hungary as was applied to Ireland in 1796-1797. The Hungarians took up arms, and the result of the struggle was that, when peace was established, the Hungarian corps were disbanded. Everybody who studied the question would know that those regiments were, by the very nature of things, more or less dissatisfied with the denial of their ancient right to serve with the National Forces, and the Austrian Government afterwards saw the necessity of restoring more or less nationality to Hungary. With what effect? At this moment, Hungary, which a few years ago was treated so contemptuously by the Austrian Government, was the bulwark of the Empire, and the power of all others looked to as a defence against Russia; and he ventured to think that if His Majesty's Forces were actually called into the field, it would not be thought that the security of the Army would be lessened by its having Hungarian regiments on its side. Again, in the case of Norway and Sweden—the Norwegian law allowed the levy of a National Militia in the country, and, by the very fact of their being trusted, the Norwegians have always stood by Sweden honestly and faithfully. In the event of these two countries being menaced by any foreign Power, Norway could not be looked upon as the weak point of the Swedish-Norwegian Monarchy, neither could Hungary be so regarded with reference to the Austro-Hungarian Empire. Ireland, however, must be considered as the weak point of the three Kingdoms, generally known as the United Kingdom of Great Britain and Ireland. Every enemy of England must be aware that the mistrust engendered by the denial to Irishmen of the rights enjoyed by the English and Scotch people must recoil upon this country. He believed a movement had been set on foot quite recently, with the object of endeavouring to raise a Volunteer Force in Ireland on a footing different to that which existed in England, and he understood this movement to be so far advanced that the promoters were in a position to communicate with the right hon. Gentleman the Chief Secretary for Ireland, who had consented to receive next day a deputation on the subject. He thought it right to state that in his opinion the basis of this movement was a false one, because the gentlemen who were promoting it asked for the enrolment of Volunteers on a much narrower basis than that which existed in England. The promoters were quite content that no man should be allowed to join the Volunteer Service throughout Ireland without the strictest investigation being made into his character, and at the same time they were willing that obstacles of every kind should be put in the way of the Volunteer. The rule was different in England, where anyone who was ready to do his duty simply came forward, and after satisfying the officers that he was a fit and proper man, was admitted without any regard being paid to his religious opinions. In England it was in the interest of the officers to keep a man who was worthy of the Corps; but in Ireland the system, put forward by the gentlemen to whom he had referred, would be but a system of national espionage, and would lead to evils greater than it was intended to remedy; and would, moreover, practically result in arming the Orangemen of the North to the exclusion of the rest of the population. In his opinion, a system which provided for the arming of a section only of the Irish people would be much worse than the present system of disarming the whole population. It was his duty to state that he felt as strongly upon this question of voting money on the part of his countrymen towards the maintenance of English and Scotch Volunteer Corps as if it were a question of education. He objected to the voting of any money for the English Volunteer Service until he heard from the Secretary of State for War, who was best entitled to speak on the subject, a full and satisfactory explanation of the reason why the system was not extended to Ireland. The only satisfactory solution of the question would be to establish in Ireland Volunteer Corps on exactly the same basis as those in England, and with no other restrictions or conditions in reference to their members. He would now move the reduction of the Vote by the sum of £485,280.

THE CHAIRMAN: Do I understand the hon. Member to move the reduction of the Vote by £485,280?

MR. O'CLERY said, that was his proposition. The reason he did not move to reduce the Vote by £80,000, the amount Ireland contributed, was that that reduction would be distributed over England and Scotland as well as Ireland, and therefore the latter country would still contribute towards the Volunteer charges of England and Scotland.

THE CHAIRMAN: The Vote is for £485,300, and I understand the hon. Member proposes to reduce it by £485,280, which will leave the Vote at £20.

MR. O'CLERY said, that was his proposal.

THE CHAIRMAN: The practice of the Committee in such cases is to move to reject the whole Vote, there being no object or reason for leaving £20 to be voted.

MR. O'CLERY said, he would have moved the rejection of the Vote; but he understood an hon. Member wished to propose its reduction by the amount in excess of last year's charge. He asked the opinion of the Chairman whether his moving the rejection of the whole Vote would prevent any other hon. Member moving its reduction?

THE CHAIRMAN: Any hon. Member would be in Order in proposing the reduction of the Vote, and the proposition for reduction would be taken first.

MR. O'CLERY: I move to reduce the Vote by £485,280.

THE CHAIRMAN: The course which the hon. Member proposes to take is contrary to the practice of the Committee. The reduction he mentions is tantamount to the rejection of the whole Vote. The order of Business is either to put the rejection of the whole Vote, if it is moved, or such reduction as can reasonably be distinguished from the whole Vote.

MR. O'CLERY said, in that case he would move the rejection of the Vote.

MR. PARNELL asked, whether it was not competent for an hon. Member to move the reduction of a Vote by any sum he thought right?

THE CHAIRMAN: The practice which has prevailed has been to move to reduce a Vote by a reasonable amount. But it is impossible to draw a distinction between such an Amendment as the hon. Member proposes to submit and the rejection of the whole Vote; and it is, therefore, my duty to put the Question on the whole Vote.

MR. HAYTER asked the right hon. and gallant Gentleman the Secretary of State for War, whether it was his intention to make public the Report of the Departmental Committee now sitting at the War Office, considering the whole question of the Volunteer Force? All commanding officers of Volunteer regiments had had a series of questions submitted to them by that Committee, and replies had been forwarded. Of course, those answers would be laid before the Departmental Committee, and he should be glad to know if the Government would make their Report public? There was one decrease in the Volunteer Estimates which could hardly be regarded as satisfactory — he meant the reduction in the allowance for Volunteer officers attending Schools of Instruction. Last year, £1,300 was granted for the purpose; this year, only £1,000 was asked for. He hoped this did not indicate a falling-off of the desire on the part of Volunteer officers to attend such schools, the instruction at which was of so much value, and attendance at which should be encouraged as much as possible. There was a question raised by the hon. Gentleman the Member for West Worcestershire (Mr. Knight) at the early part of the Session, which he regarded as being of considerable importance—he referred to the retiring allowances to adjutants appointed previous to the present arrangements, whereby captains of the Line were appointed for five years as adjutants of Volunteer regiments. Lord Cranbrook, when questioned on the subject, said he could not entertain the idea of reviewing the decision arrived at, which was that adjutants appointed previous to the present arrangement should not have more than £100 a-year retiring pension, and the honorary rank of major. The Secretary of State for War must be aware that these old officers, who had served their country for lengthened periods, now had £275 a-year, with allowances for lodgings and forage, and if they were not to receive retiring allowances which they considered adequate to the services they had performed, it would be impossible to get rid of them, although they might, by old age, become somewhat incapable. Speaking from personal intercourse with Volunteer adjutants, he could say they considered they were suffering under a very serious grievance, and he considered if they were to be got rid of, the process should be carried out with something like liberality. The argument of Lord Cranbrook, that nothing more could be given these officers, as they took the positions on the terms now set forth, would not hold good; because, as the Secretary of State for War well knew, the officers who entered the Army under the Purchase-system had no claim whatever to compensation on the abolition of Purchase, and yet they were paid the over-regulation money. Hence, he hoped the old adjutants would be treated properly by the Government.

SIR WALTER B. BARTTELOT did not find fault with the hon. Member for Wexford (Mr. O'Clery) for having brought forward the question of Volunteer Corps for Ireland. But had the hon. Gentleman confined himself to that matter, he would have done much more good for the cause he advocated. Instead of that, however, he had gone out of his way to accuse English recruits of cowardice, and had said that they had behaved badly in the face of the enemy at the Redan.

MR. O'CLERY desired to explain. The hon. and gallant Member for Renfrewshire (Colonel Mure) had stated that at the Redan the English recruits had to be kept at their posts by Irishmen.

SIR WALTER B. BARTTELOT was sure no one would be more surprised than his hon. and gallant Friend the Member for Renfrewshire (Colonel Mure) to hear the statement of the hon. Member for Wexford. The hon. and gallant Gentleman had never said the soldiers he was alluding to were Englishmen, Scotchmen, or Irishmen. He might have said they were recruits. He (Sir Walter B. Barttelot) was quite sure his hon. and gallant Friend had never made such a statement. The hon. Member for Wexford had spoken of a distinction drawn between Irishmen, Scotchmen, and Englishmen. He (Sir Walter B. Barttelot) was an old soldier, and he was proud to say that in the Army they never made such a distinction, and they were glad to have men from either country in the ranks. It was the last thing in the world that officers would do to draw an invidious comparison between the men from either England, Scotland, or Ireland. Englishmen, Irishmen, and Scotchmen, had in the past, and, he was sure, would in the future, serve their country to the best of their ability; and he considered it a most mischievous thing for any hon. Member, be he Irishman, Scotchman, or Englishman, to get up in that House and try to detract from the merits of those who had fought and bled for their country wherever they had been called on to do so. Had the hon. Member for Wexford merely said there was a desire to form a Volunteer Corps in Ireland, and had he asked the right hon. Gentleman the Chief Secretary for Ireland to calmly consider the question, he might have done some service to his country. But the Committee could not forget what was said by hon. Gentlemen who sat on the Benches nearest the hon. Member for Wexford, as to what would happen if Irishmen were called upon to fight. He (Sir Walter B. Barttelot) was surprised that any man, calling himself what he might, a Nationalist or Home Ruler, should say, that if called on to fight in the interests of the British nation, Irishmen would refuse to defend their Queen and country. He (Sir Walter B. Barttelot) never believed such a statement; but, still, he could not conceal from himself the fact that the hon. Member for Wexford, when he claimed the right for all Irishmen to carry arms, forgot the statement of those around him, that they were not to be trusted with arms in the service of their country. He only wished the hon. Member for Wexford had shown that Irishmen, if trusted with arms, would use them as loyally, gallantly, and honestly, as any other men in the United Kingdom. The hon. Member for Wexford had said that, as far as the Volunteer Forces of England and Scotland was concerned, he did not for a moment wish to interfere with the Vote, and yet he moved its absolute rejection. If that was Irish logic, it certainly was not English. Instead of acting in that way, the hon. Member should produce such reasons and such arguments to the House as would induce the Government to establish Volunteer Corps in Ireland, and he would then find the House of Commons as ready to grant money to Ireland as to England or Scotland. The hon. and gallant Member for Bath (Mr. Hayter) had stated there was a Committee now sitting to inquire into the constitution of the Volunteer Force generally. He hoped the result of the deliberations would be to enable his right hon. and gallant Friend the Secretary of State for War to produce a scheme which would have for its object the placing of the Volunteer Corps on an even better footing than at present. Everyone who had watched the Volunteer movement from the commencement must see that that part of the defensive Force of the country was in a very different position now compared with the time it was inaugurated. A great deal had been learned by the Volunteers; their discipline had very much improved; and many battalions had adopted the important point of going into camp annually. This going into camp cost a great deal of money; and, as an illustration, he would take the case of his own battalion. They went into camp every year in Arundel Park, and he was bound to say that one of his captains, the premier Duke stayed in the camp from its formation to the close of the training, and did all in his power to promote the interest of the battalion. But it cost the battalion, over and above what they were allowed by the War Office, something like £560 in hard cash during the time his 600 or 700 men were under canvas. This sum was made up by the extra things they had to provide—such as water, wash-houses, lattrines, extra tents, and mess tents. This large sum of money was a heavy charge on the officers who went into camp. Seeing that so many Volunteers were willing to go into camp for eight days with a view to learning that which would be of advantage to them if ever called upon to defend their country, he contended that every encouragement ought to be given them, and such sum of money voted as would do away with the heavy tax now regularly placed upon those who spent eight days under canvas. No one could deny that if men could be got into camp, and taught all that men in the Regular Army had to do under such conditions, they would learn more in eight days than they would by four times the number of drills carried on at different parts of the year. He especially hoped the right hon. and gallant Gentleman the Secretary of State for War would consider the question of administrative battalions. He (Sir Walter B. Barttelot) was quite satisfied that administrative battalions, as such, ought to be abolished, and all battalions consolidated. Then a commanding officer would have more power, greater uniformity would be carried out, and discipline better enforced. It was apparent that a battalion would be far better if commanded absolutely by one man than when made up of corps with several commanding officers. Another question to which he wished to direct attention required careful consideration, and that was whether Volunteers ought or ought not to be enrolled for a longer period than at present. All sorts of terms had been suggested, and three years, he was told, had been specially considered. But whatever term might be agreed upon, he believed it would be a great advantage to the Volunteer Corps if men were enrolled for a longer time than now. Although he was aware his noble Friend the Member for Haddingtonshire (Lord Elcho) did not quite agree with him on that point, still he thought it was one which should be fairly considered. As a matter of course, if a term of service was agreed upon, men leaving one locality would be entitled to transfer their services to the regiment in the place they had removed to. He hoped this subject would be brought under the attention of the Departmental Committee which was now sitting. A question, of small importance it might be, also deserved consideration—he referred to the clothing of Volunteers. Without saying whether it ought to be changed or not, one thing was quite clear—that the Volunteers ought to have the same kind of uniform and accoutrements, and as to the belts which should be supplied them, he considered those made of brown leather would be the best, they being very durable, besides which they would distinguish Volunteers from other soldiers. He was sure he need not press on the right hon. and gallant Gentleman who so worthily filled the Office of Secretary of State for War the importance of seeing all the points to which he had referred fairly and deliberately looked into, and every information and advice given to the Departmental Committee, so that they might consider what was best to be done in the interests of a Force which the country thoroughly appreciated. He also hoped his right hon. and gallant Friend would consider the cases of the Volunteer adjutants. The country would be put to very little expense if they were offered the same terms as were proposed to the Militia adjutants in 1875. Those who would not accept such an arrangement must, of course, go on as at present; but there were some who would embrace the offer, and thus the feeling that they had been hardly dealt with would be dissipated, and the country would have a body of contented servants who really had done a great deal for the Volunteer Force.

MR. O'CLERY desired to say a few words in reply to the hon. and gallant Gentleman who had just sat down (Sir Walter B. Barttelot). The hon. Member had said that until he (Mr. O'Clery) could show that Irishmen, if intrusted with arms, would do their duty faithfully and manfully, his desire to establish a Volunteer Corps for Ireland could not be agreed to. He had met that argument by showing that wherever Irishmen were intrusted with arms, not only in Line regiments, but in the Militia, whose ranks were recruited from a lower strata than Volunteers would come from, they had done their duty. In order to give force to his argument, he mentioned the case of the Redan, and although he regretted very much to allude to acts of cowardice, he referred to the remarks made by the hon. and gallant Member for Renfrewshire (Colonel Mure), when drawing attention to the class of recruits being taken into the Army. The hon. and gallant Gentleman had regretted that the Irish peasants and Scottish Highlanders were not now joining the Army. The hon. and gallant Member had also said, referring to the disaster at the Redan, that the men who acted the cowards' part were taken from the slums of large towns in England, and men's work could not be expected of them. Irishmen living in large towns in England had quite a different physique, and, that being so, he thought he had fairly made out his argument in favour of Irishmen being allowed to carry arms and form a Volunteer Corps.

MR. DODSON asked, if it were the intention of the War Office to arm the Volunteers with Martini-Henry rifles?

LORD ELCHO said, he was sure the hon. Member for Wexford (Mr. O'Clery) had mistaken the hon. and gallant Member for Renfrewshire (Colonel Mure) in reference to the disaster at the Redan, and he hoped no military question would be brought forward in such a way again. He trusted the Secretary of State for War would endeavour to have the Volunteers armed with the Martini-Henry rifle. The late war had shown how effective a weapon it was, and how inferior any other arms were. The Russians had found this disadvantage around Plevna, and he was sure the Secretary of State for War would not wish English troops to be similarly situated. The hon. and gallant Member for West Sussex (Sir Walter B. Barttelot) had said a great deal about the discipline of Volunteers being very much improved of late. He (Lord Elcho) had before now doubted whether the adverse criticisms on Volunteer discipline were deserved. It had suited a certain portion of the Press of this country to adversely criticize the Volunteer discipline in former times and to allege that the Corps was unnecessary. Now it suited these newspapers to say the Volunteers were necessary. He had been connected with the Volunteer movement since 1859, and he did not believe the men were ever undisciplined. At any rate, he was certain of this, the commanding officers had the power to maintain discipline, and if that did not prevail it was the fault of the commanding officers and them only. The hon. and gallant Member for West Sussex hoped the question of terms of service would come before the Departmental Committee. He (Lord Elcho) had a strong feeling on the whole question, and, seeing that the Volunteer Corps had grown so steadily in numbers and efficiency, he thought they had better observe the old principle of letting well alone. The same idea was contained in the epitaph—" I was well, I would be better—here I lie," while Lord Melbourne put it still more tersely, when he said—" Damn it, why can't you leave it alone." He hoped these sayings would be in the minds of the Committee in dealing with this matter, and that they would remember that the Volunteer Force was not intended to be a Force ready at once to take the field, but was intended to make this nation an armed nation. The Volunteer Force did not pretend to be in a state of complete efficiency as regarded training; but it rested on the assumption that, existing as it did in large numbers, it would be ready to meet the enemy if it had that sufficient warning which they all anticipated would precede an invasion —a warning which would enable it to be embodied, and to receive that additional training which would be necessary to enable it effectively to meet the enemy. He warned the Committee against endeavouring to draw too closely the bonds by which this Force was held together. Its term of service was 14 days. The men came up of their own free will; they received no pay; they did their duty efficiently and well according to the requirements of the Service; and they were free to go on giving 14 days' notice. The success of the Service depended on that freedom of service, and no greater mistake could be made by those in authority than attempting to make this service more stringent, and to get a greater hold over the Volunteer Force. If that were done, he believed they would run the danger of losing the Force altogether. That danger had taken another form of late. The advice of Talleyrand to his young diplomatists would apply equally well to young Volunteer officers. A great many men had joined lately who had come from the Army, and seeing the defects of the Force, and noticing that it was not quite under command, they were very full of zeal to make it as complete as possible, and bring it up to the level of their own ideas. To these gentlemen, to the Committee, and to the Government, he would say, with Talleyrand—" *Surtout, point de zèle.*" Too much zeal would lose them the Force altogether, and in no form was it more to be avoided than in the question of what was called volunteering for active service. He knew that the late Secretary of State for War did not look upon the proposal with favour, from communications he had had with him, though he did not think it advisable to say that the services of these Volunteers would not be accepted, because it would damp the zeal of the men in the Force. Even supposing they had a certain number of men, neither in the Army nor in the Militia, their number must be necessarily comparatively few, and as an addition to the Army they must be comparatively worthless and trifling; but, on the other hand, there would be a danger that the Force, instead of being as now, numbered by hundreds of thousands—for upwards of 600,000 had passed through their ranks, besides the 182,000 now serving—would be numbered by tens of thousands on that account. At present, men entered who could not afford to enter the Regular Army, who did not expect to go on foreign service, but who were willing to give their time and service for the defence of their hearths and homes. But, if it were to be supposed that no man was to be considered a zealous Volunteer, and a loyal subject of the Crown who did not enter for foreign service, if there were to be two classes—the men who go abroad and the men who stayed at home—then the latter class would certainly become a reproach; they would be chaffed and sneered at by the others, and this would eventually break up the Corps. He could not conceive a greater error than to encourage this movement. He did not wish to enter into the question of Committees at the War Office; but knowing that this Committee was now sitting, having had to answer a great many questions about it, and as he would probably have to appear before it, he had ventured to speak freely on this subject, in the interest of that Force whose value in these times of danger the public were beginning to appreciate. What would have been the condition of the country now, with the Militia in the state of which they had heard to-night, if there had been no Volunteer Service. They would certainly have had to ballot for men. He trusted that the House and the country, appreciating the value of this Force, would be content to leave it alone, only giving those things necessary, besides an equipment, for allowing it to go into camp, which most of the regiments were unable to get out of their capitation.

Mr. H. SAMUELSON also wished to press the Secretary of State for War to make some allowance for small regimental camps of instruction. He had heard complaints in his constituency of the expenses the men—mostly poor men—were put to in these camps, and he knew it was a very great pressure upon both officers and men. In some corps they actually charged gate-money for admission into the camp, in order to eke out the very small allowance they received. The admittance of a crowd of spectators must necessarily interfere with the drill and efficiency of the men, and he thought it should be discouraged. It was not every corps which was so lucky as to be commanded by the hon. and gallant Baronet opposite (Sir Walter B. Barttelot), who had a Duke for one of his captains, and Arundel Park in which to camp out. Some of the corps, on the contrary, had to pay for the hire of the land on which they camped. Englishmen had a national privilege of grumbling; but none were less ready to grumble than Volunteers, and they were always ready to give up their time, which was often their money. If the Secretary of State for War could do anything for them, he would earn the gratitude of a body of men whose gratitude was certainly worth having. At the present moment, especially, the Government ought to feel kindly towards the Volunteers, for if they had not been in existence they certainly could not have carried out their policy on the Eastern Question.

Mr. DILLWYN did not wish the debate to close without enforcing, as strongly as he could, the remarks of his noble Friend the Member for Haddingtonshire (Lord Elcho). He did not know what the Committee, of which so much had been said, would do; but he feared that its tendency was to increase the stringency of the discipline of the Volunteers, and he felt that there was very great danger in that. If the Force were worth having at all, it should be worked as it was at present. He had taken an active part in the Volunteer movement since 1859, as the commander of a corps, and he had always succeeded in maintaining and enforcing the rules with the present system. In his opinion, the power they at present possessed was quite enough, and it would be very unwise and dangerous to strain the conditions under which Volunteers enlisted, and to make the discipline more stringent. Further, he thought it would create an unwillingness to serve on the part of men who had already passed through the ranks. He hoped what had been said would have some weight with the Secretary of State for War, more especially as he had heard it said that the Committee was likely to report adversely to his view.

Major NOLAN said, the debate had been turned aside a little from the point raised by the hon. Member for Wexford (Mr. O'Clery), and Irish Members could not join in a discussion of the details of the Volunteer Force, because they were not allowed to have Volunteers in Ireland. He was glad his hon. Friend the Member for Wexford had brought this subject forward, and he considered it was a reproach to Irish Members that the subject had not been discussed before. They tried to do so, however, last year, when they could not get a day; and, even now, he was sorry it was not brought forward as a Bill or a Resolution, instead of in the form of a protest against Englishmen having Volunteers. However, this was the only course left open to them, although he fully recognized the great value of the English and Scotch Volunteers, and believed they got full return for the money they spent on them. But Ireland did not get full value for her share of the money; and, therefore, he could not support this Vote, which was in reality a reproach to Ireland. The hon. and gallant Baronet the Member for West Sussex (Sir Walter B. Barttelot) said that Ireland must show that she was good and faithful before she could be trusted with arms. How splendidly that argument would have come from a Turkish Pasha to some Christians, who asked for arms to defend themselves. But the Irish were worse off than the Christians of Turkey, for they were not allowed, even though they were Protestants, to enter the Army until the Irishmen who fought for France altered the views of Englishmen. Was it in accordance with Irish self-respect to insist on this difference? Of course, they would be out-voted, and they would get a very bad vote, because many Irish Members had not yet returned; but they would get a better vote next year if the Ministry did not give way. Why should not this boon be granted to them? The Government would get 30,000 or 40,000 more Volunteers; and it was impossible to say there could be any danger, unless they believed the statement which his hon. Friend had quoted from the hon. and gallant Member for Renfrewshire (Colonel Mure), and which he did not accept, that the Irish troops were so very much better than the English. He believed the Volunteer movement was an exceedingly useful one; but he was compelled, entirely against his professional prejudices, to go into the Lobby for this reduction, because he believed the refusal of Volunteer Corps to Ireland was a very great wrong.

Colonel STANLEY said, he understood the hon. Member to move the reduction of the Vote as a protest, and not as a serious objection to the Volunteer Force; and, therefore, he did not think it necessary to follow him through all his speech, though he might point out that the Hungarian Honveds were Militia rather than Volunteers. Nor would he follow him in his remarks about Irish gallantry and the smartness of Irish regiments, because all that he took to be admitted on both sides of the House. On the question of Volunteers for Ireland, he hoped he might be excused if he spoke with considerable reserve. He had not long had the War Office under his control, and he therefore spoke on this matter rather from a military than from a general point of view. He was bound in all candour to say, from a military point of view, and leaving all other considerations aside, that he had never been able entirely to see a reason why some step should not be taken in the direction which the hon. Gentleman indicated. He was saying that as his personal opinion, based on military grounds alone; but the question must be dealt with not as a matter of sentiment, but as a matter of business, and points must be considered, which he had then neither the time nor the ability to discuss. The events of the last few months had left very little time for matters other than those of immediate importance to the State, and he had not had time for consultation with his Colleagues upon the matter, and therefore he did not feel justified in expressing anything more than his individual view. It must be considered, too, that in the formation of any new Force, there were many local considerations to be dealt with, which would render the establishment of any such Force liable to be conducted under very different arrangements from that under which the Volunteers at present were. The locality of the mode of concentration had to be regarded from a military point of view. If the Corps were to be re-formed in England a great many points would have to be re-considered, and if Corps were formed in Ireland, he did not say that matters could be arranged precisely upon the same lines as in this country. In all these matters, too, he thought Party feeling and Party distinctions should be laid aside, and the Volunteer should only remember that he was the servant of the Crown and the country. As to what had been said in the discussion, it was far from the fact that Volunteers were taken into these Corps without inquiry. In all regiments—certainly all good ones—a very careful inquiry was made into the character of every man, and in some Corps the candidate had even to be proposed and seconded as in a club. Therefore, the observation of his hon. and gallant Friend (Sir Walter B. Barttelot) would apply to Irish Volunteers in the same way that it did to English and Scotch. Of course, he could not accept the Amendment; and, after this expression of his personal views, he might perhaps be permitted to pass to other questions. He saw no reason why the Report of the Committee now sitting should not be made public. If these things were to stand at all, they must stand ventilation, and, so far as he was concerned, he had no desire whatever to withhold any information. With regard to the question of the adjutants, that was now under consideration before that very Committee, and he did not therefore wish to express any opinion on it, further than that he was bound, in honour and allegiance to his Predecessor and late Superior, to say that in the refusal which he had given year after year upon the question he had been fully borne out by the facts. With regard to the question raised by the hon. and gallant Member for Bath (Mr. Hayter) as to the adjutants, he believed that some representations had been made to the War Office; and he had authority for saying that if the hon. and gallant Member wished to bring the matter before the Committee, he would have ample opportunity for doing so, and that the Committee would be very much obliged for any information he could give them. He was sorry to be obliged to give an indefinite answer upon the point; but, *pendente lite*, he did not like to express even an individual opinion. As regarded camp allowances, that had become one of the most prominent questions connected with volunteering; but he had to ask Volunteer officers and others who heard him to bear in mind that there was a very wide difference between a necessary expenditure, and the actual amount of which Volunteer officers and others camping out were out of pocket. He only mentioned that in order that there should be no possible room for misapprehension. Well, then, with respect to the clothing and discipline, he was not at the moment in a position to know what recommendations the Committee were likely to make. All he could say was that his hon. Friend had an inkling of what was going on in the Committee, and knew what their Report was likely to be—in fact, a great deal more than he (Colonel Stanley) himself, or even any Member of the Commitee.

LORD ELCHO said, that what he wanted to know was not the tendency of the Report, but of the Inquiry.

COLONEL STANLEY said, that what he had seen had led him to the conclusion that the inquiry was of as general a character as possible, though undoubtedly there might be certain questions which would be matters of argument, and if stress had been laid upon certain of the questions which were put, those questions had really been asked with the view of eliciting the widest possible range of information, and encouraging those officers to whom they had been addressed to answer them as fully as possible, and to give all the information which they possessed. With regard to the question as to the Martini-Henry rifle, he was sorry he could not give his right hon. Friend (Mr. Dodson), who had put the question, an answer which would be satisfactory to him. At the present time they did not deem it to be advisable to place in the hands of the Auxiliary Forces the arms which they had in store until the store, which was now being largely drawn upon, was very considerably developed. He did not, therefore, see his way to issuing those arms to Volunteers. At the same time, he need hardly say that they had the most earnest desire as soon as a legitimate opportunity might occur, to place that which they believed to be the best possible arm in the hands of the Auxiliary Forces as well as those of the Regulars. As regarded the accustoming of the Auxiliary Forces to the use of that arm, he believed it was the intention of his noble Friend to issue such a number of them—about 2,000—as would suffice for a very efficient training of Volunteers at Wimbledon. He thought that he had now answered all the questions which had been put to him.

MR. PARNELL did not wish to suggest to his hon. Friend the Member for Wexford (Mr. O'Clery) any course which he should take on the occasion; because, whether he took a division on the Vote or not, there had been so much attention given to it, that he thought that they, as Irish Members, ought to be satisfied with whatever course the hon. Member took. The right hon. and gallant Gentleman had expressed his opinion on Irish Volunteers as an individual. He did not understand him to speak as a Minister, when expressing his opinion in favour of some extension of the principle of volunteering to Ireland; and so far, of course, his utterances had not had that authority which they could have wished them to have under the circumstances. But neither did those utterances come up to what they had a right to expect. The right hon. and gallant Gentleman had said that Volunteers must exist under different conditions from those in England. He had said that a certificate of character would be necessary, and had also pointed out that a certificate of character was necessary for admission into English Volunteer regiments. But he very much feared that if the conditions —he would not say the conditions which he had named—but he very much feared that in any scheme for Volunteers in Ireland, conditions would be attached which would result in allowing only a section, and a very small section—in fact, the minority of the people—to join the Volunteer regiments. If the system of volunteering were to be used for the purpose of continuing partizanship and keeping up Party spirit; if it were to be confined to a certain section of the people of Ireland; and if certificates were not to be given to all Irishmen of good character, then, he said, that they, as Irish Members, ought not to accept such an offer; and therefore it was that he looked with considerable doubt at the utterances of the right hon. and gallant Gentleman the Secretary of State for War. But he had been sorry to see the hon. and gallant Member for West Sussex reply with so much heat to the very temperate speech of the hon. Member for Wexford. His hon. Friend had not intended to impute any want of courage to the English soldiers when he said that the English recruits had behaved badly during the Crimean War. It was a common saying amongst soldiers that when an English Army went into action the Irish regiments went first to break the line, the Scotch regiments came next to take the prisoners, and that the English regiments came last to secure the booty—a very good operation, which had resulted in the English gaining so much more wealth than the Irish or the Scotch. But why should England deny to Ireland that which she herself possessed? She had Volunteers herself, and she refused them to Ireland. If there were to be a war the next day —and he was glad to remind the Committee that the origin of raising Volunteers was the necessity of defending Ireland from the French—while they denied to Ireland the privilege of defending herself, they insisted upon her paying them for the purpose of defending themselves. How long were they going on like that? How long were they going to give it out to foreign nations that they had a disaffected people in their midst? He had merely suggested these considerations to the Secretary of State for War, as he understood that a proposition was going to be made with reference to the formation of Volunteer Corps in Ireland, and he hoped that if it were acceded to those corps might be formed in such a way as to please and satisfy all sections and all classes in Ireland.

General SHUTE said, he had often heard complaints with regard to the numerous speeches they heard, that there had been generally a great want of the Irish wit that was so much talked about, and of which he had seen so much; but with reference to the assertion which had just been made by the hon. Member for Meath (Mr. Parnell) as to what sort of feeling existed in the Army, he must say that it had astonished him. Both the hon. and gallant Baronet the Member for West Sussex and himself had been in the Union Brigade of Cavalry, and he could therefore bear him out when he assured the hon. Member opposite that no such feeling ever existed in the English Army. English, Scotch, and Irish, had always fought together like true Britons whenever there was a chance, and always would. With regard to the Volunteer question, he had always taken an interest in the movement. He had been in Ireland for 12 years, and he would honestly state that there would be a great difficulty in finding in Ireland a class of men similar to that from which they drew their Volunteers in England. He did not believe that that especial class actually existed in Ireland. With regard to character, good character as to loyalty and respect for law and order was essential, not only for men but for officers; and he confessed in the present state of affairs he did not think that Irish Members who took an interest in Ireland would honestly and truly advocate at the present moment the formation of a Volunteer Force in Ireland.

Mr. BIGGAR said, that the hon. and gallant Member for Brighton (General Shute) had raised the point that they could not produce in Ireland the same class as that from which the Volunteers were taken in England. Now, he had heard it stated that the English Volunteers were shopmen with soldiers' coats on. But they in Ireland could produce a better class than that — namely, farmers' sons, and in that point he thought they could fairly compete with the English Volunteers as they existed. Now, upon the question of Irish Volunteers several points had been raised, and one was the form in which the Amendment had been put before the Committee. Now, they all knew it was not competent for a private Member to move to increase the Vote. Of course, if it had been so, the proper way would have been to move to increase the number of Volunteers in Ireland to that in England; but, as matters stood, the only way was to vote against the sum altogether. Now his hon. Friend had decided upon the system of moving to reject the Vote altogether, and in that he thought he was perfectly right. On the question of Volunteers for England, Scotland, and Ireland, he thought the Irish had suffered great injustice; because, after all, the system of volunteering really meant that gentlemen were only playing at soldiers, because it was never intended that they should fight except in a contingency, which they did not expect to see in their life-time—namely, the invasion of England. Now, if they were only to put on soldiers' clothes and do nothing else, he thought that £485,000 was so much money thrown away. But if it had been understood that a large proportion of these Volunteers would volunteer for active service, he thought there would then be some practical argument in favour of the system of English volunteering, and from that point of view he thought the Irish were very hardly treated. For these reasons, he felt thoroughly justified in moving to reject the whole of the Vote; because, unless these men were intended for soldiers, he did not know what they were intended for.

MR. O'CLERY said, he must admit that the right hon. and gallant Gentleman had spoken as a soldier, and not as a Member of the Government; and, therefore, there had practically been no answer to the desirability of forming Volunteer Corps in Ireland. He supposed it was only right to say there that they all felt that England really feared to intrust Irish people with arms. They had deprived Ireland of its own Parliament; but when it had its own Parliament it was able to maintain 100,000 Volunteers. Now they had endeavoured to govern the country themselves, and the result was that they were not able to intrust the Irish people with arms. He thought that was a very dangerous state of things as regarded foreign countries. It was not nice year after year to have coercion laws passed nominally against crime in Ireland, but really to perpetuate English rule and to keep the people from their natural military tastes. He had brought that Motion on as a protest, and he did not think he should be giving sufficient emphasis to the protest if he did not divide; and he at the same time hoped that he should find an opportunity of bringing the question on in the form of a Motion, when he and his Colleagues would be prepared to bear testimony to the right of the Irish people to carry arms.

Question put.

The Committee *divided:*—Ayes 126; Noes 7: Majority 119.—(Div. List, No. 171.)

Original Question put, and *agreed to.*

(5.) Motion made, and Question proposed,

"That a sum, not exceeding £185,500, be granted to Her Majesty, to defray the Charge for the Pay, Allowances, &c. of a number of Army Reserve First Class, not exceeding 19,000, and of the Army Reserve Second Class, which will come in course of payment during the year ending on the 31st day of March 1879."

MR. PARNELL said, he wished to direct the attention of the Secretary of State for War to this Vote. It appeared to him that the Estimate of this Vote rather came in the same category as some of those other Votes to which he had directed the right hon. and gallant Gentleman's attention. He found that there was no sort of proportion to be observed during a series of years between the actual expenditure and the Estimate of expenditure, and he could not at all see why that should be so. For instance, he found that in 1875-6, the number of men estimated for the First Class Reserve was 10,000, and the estimated expenditure was £121,000, but only £99,000 was spent. In 1876-7, there was the same number of men estimated, and the total estimated expenditure was £122,000. In that year, again, only £94,000 was spent. Then, in the year 1877-8, the number of men estimated was 15,000, and the expenditure estimated and taken was £132,000; but there were no Returns with respect to that sum. This year, the number of men estimated was 19,000, and £185,000 was estimated for the expenses of those men. It appeared to him, in view of the fact that the Army Reserve had been called out now for some time, and that in all probability it would remain out for some time longer, and that, consequently, the charge for the Army Reserve was not now, and would not be, in this Vote while it was called out, that a very much less sum of money than £185,000 would be sufficient to cover the expenditure. In no year during the years he had mentioned had the War Office spent nearly the amount of money that had been voted. In 1875 the expenditure was £22,000 short of the sum voted, and in 1876 it was £28,000. He really did not see why these exaggerated Estimates should be necessary. He would suggest to the right hon. and gallant Gentleman that the sum of £185,000, for which he asked, was entirely too much. Looking at the figures which he had quoted, he could not see how the expenditure could possibly exceed much more than, say, the amount of £90,000 or £95,000. Therefore, he begged to reduce the Vote by the sum of £90,000.

Motion made, and Question proposed,

"That a sum, not exceeding £95,500, be granted to Her Majesty, to defray the charge for the Pay, Allowances, &c. of a number of Army Reserve First Class, not exceeding 19,000, and of the Army Reserve Second Class, which will come in course of payment during the year ending on the 31st day of March 1879."—(*Mr. Parnell.*)

Colonel ALEXANDER remarked, that there was one subject in connection with this Vote which he should like to bring to the notice of the right hon. and gallant Gentleman. He would ask him to consider the propriety of instituting a periodical medical examination of the men of the First Class Army Reserve when not serving with the colours, and he would shortly state the reason why he made this request. When lately these men responded, as had been stated that evening, with great alacrity and patriotism, to the call which their country made upon them, a certain proportion, though not a very large proportion, of the men were found to be medically unfit for service, and this had caused considerable inconvenience and expense to the public. But what was much worse was, that he believed that several of the men who were pronounced as medically unfit for military service had been obliged to abandon lucrative civil employment. He thought that if the right hon. and gallant Gentleman would take into consideration the question of instituting periodically such an examination as he had suggested when the men were not serving with the colours, the inconvenience and also the hardship which he had pointed out might be obviated.

Major NOLAN desired, before the Secretary of State for War rose to reply, to make a suggestion to him with respect to the wives and children of the men of the Reserves who had been called out. It must be obvious to everyone that the allowance which was at present given to the former was wholly inadequate. He had received several letters on the subject. Out of the 3*s.* 6*d.* a-week which the wife of a Reserve man now received, she would have to pay 2*s.* or 2*s.* 6*d.* for lodgings, so that there would be 1*s.* left to provide clothes and food. No doubt some of the women were able to earn money for themselves; but a great many others, owing to various reasons, would not be able so to do, while nearly all the children left behind were of a helpless age. As a rule, the men would have only married after leaving the Army; they would, therefore, have been married, probably, for five or six years, and thus all the children would be of so tender an age as not to be capable of affording any assistance to their mothers. Moreover, if a soldier were ever so careful, he could not save more than 4*d.* or 5*d.* a-day, and he believed that generally it would be found that he saved much less. Indeed, it had been admitted in that House that the soldier could only save 3*d.* When the hon. Member for Leicester (Mr. P. A. Taylor) brought forward the question of making soldiers contribute to the support of their wives whom they had deserted, or of their illegitimate children, the late Secretary of State for War maintained —and so, also, did many others on the same side—that 3*d.* a-day was the most which a soldier could spare to his wife. Therefore, the most a soldier could be reckoned on to spare to his wife would be 1*s.* 9*d.* a-week, and that, with the 3*s.* 6*d.*, was a totally inadequate allowance. He thought the Government ought to do something to mitigate the distress that was at present being caused by the Reserves having been called out. He put a Question the other day to the Under Secretary of State for India, in order to show how differently this matter was treated in that country. The reason for this different treatment was, that there the ordinary conditions of service often necessitated separation between the soldiers and their wives and children, and it was customary to fix a certain monthly allowance. That allowance represented nearly 6*d.* a-day to the wife, with a further allowance for the children; but, in addition, they got free quarters and half-rations. They saw, therefore, that where it was the custom to separate wives from their husbands, adequate provision was made for the former. But there the Reserve Forces were an entirely new institution. See what Continental nations had done. When, during the late war, they began to call out men—not only of the age of 20, but of seven, eight, and nine-and-twenty—they made sometimes elaborate distinctions. They first took the bachelors for the Army, leaving the married men at home; they next called out the married men who had no children; and then they took the men who had only one child. They in this country now saw the necessity for making these distinctions. For the first time they were brought face to face with the fact, that there was a large number of soldiers' wives for whom the nation ought to provide an adequate allowance. What could be more cruel than to send soldiers abroad to fight the battles of the country, and leave their wives at home to starve, or very nearly so? In some instances they were worse off than if they had no allowance at all, because the Unions actually made it a ground for refusing to do anything for them. He would remind the Committee that it was rather different with the Reserves in this respect than with the Army. It had never been the policy of the authorities to discourage marriage in the Reserve Forces. On the contrary, the policy had been, as regarded them, to interfere as little as possible with the ordinary population laws of the Kingdom; and, therefore, when a national emergency arose, and the men were called out, it was somewhat hard and unfair that their wives and children should not be properly cared for.

LORD ELCHO said, it must be admitted that his hon. and gallant Friend who had just sat down had done his best to procure for the Reserve men and their families the best possible terms. He thought his hon. and gallant Friend had done wisely in this, because no money could, in his opinion, be better spent than that which was devoted to popularizing the Reserve Forces. The whole success of the movement in the future would depend upon the endeavour which was now made to give, as far as possible, satisfaction to these men and their families. There was one point in connection with the Reserve Force on which he should like to have some information from his right hon. and gallant Friend. When this subject was under discussion before, a question arose as to what would be the probable future strength of the Force, and the then Secretary of State for War, now Lord Cranbrook, said that an expectation had been raised which was not likely to be realized. He understood his noble Friend to have stated that in 1883 it was anticipated that the Reserve Force would amount to 80,000 men, but that he did not think it would number more than 40,000. Some hon. Members understood him to have said 60,000; and he was desirous that any figures which his right hon. and gallant Friend might have in his possession should be given to the Committee in order that they might be in a position to judge as to the probable future success of this Force.

COLONEL ARBUTHNOT said, he entirely agreed with the noble Lord as to the desirability of popularizing, in every possible way, the Reserve Force. His object in rising was, however, to say a word or two with respect to the subject of the question which he had put to the Secretary of State for War in the earlier part of the Sitting. He should say that the right hon. and gallant Gentleman's answer was entirely satisfactory to him. It would be satisfactory, too, to the men of the Reserve to know that the just claims and expectations of those who had entered under certain conditions would be fulfilled to the letter. But the suggestion which he had made raised a point which, he was rather afraid from the tenour of the right hon. and gallant Gentleman's answer, was likely to be overlooked. It was, that all the men who behaved themselves well while with the Colours, should be allowed to count their Reserve service towards good conduct pay as well as towards pension. It would only be possible for those men during their six years' service to obtain one more good conduct badge, so that it would only be a question of adding 1*d.* a-day to their pay, while it would operate as an inducement to men to join the Reserves, and to conduct themselves well while with the Colours during their first six years of service, COLONEL STANLEY said, that before he proceeded to reply to the points which had been raised, it might be satisfactory to the Committee to know what had been the result of the organization of the Army Reserve Force. The strength of that Force on the 1st of April was 14,154 men. Of those, 13,677 had reported themselves for mobilization, leaving only 477 men who had failed to report themselves. But that was not all. Of those 477 absentees, 132 were accounted for in various ways, leaving only 345 *bonâ fide* absentees, or less than 2½ per cent on the whole. A good many of those had, however, since turned up, and were even now dropping in. He thought that after the gloomy forebodings which one heard some two years ago, it was only right to give all due credit to Viscount Cardwell, who had instituted the system of Army Reserves. It was a bold experiment; but the success which had attended it had fully justified the confidence of those who were responsible for proposing it. Of course, in connection with the calling out of the Reserves, various questions had arisen; and, undoubtedly, the case of the families of those men was one of considerable difficulty. But he must ask the Committee, in considering this question, to draw a distinction—and it was a very necessary one—between cases of hardship and cases of destitution; because many cases of reported destitution, when they came to be investigated, turned out to be cases of hardship rather than of actual want. Of the latter, there were very few instances, but there were, undoubtedly, some cases of hardship—as, for example, when a man was called out to serve who was in the receipt of good wages; and who, although he might be able to leave his wife a certain amount for her support, yet could not give her that assistance to which she had been accustomed. But, painful as such cases were, and much inconvenience as was thus created, it must be borne in mind by those who were anxious that liberal allowances should be made to the families of our Reserve men, that it should not be taken for granted that they would have to be made only for a period of one, or two, or three months, but that the necessity of continuing them for a considerably longer period would have to be taken into account. There was another point which he must also ask the Committee not to lose sight of. He regretted to have to use what might seem hard words; but if the allowances were unduly increased, a tendency would be likely to be encouraged, on the part of those who received them, to avoid seeking employment, or in any way endeavouring to support themselves. He was not speaking without book, for he knew some cases in which charitable funds had been expended in relieving the widows of men who had fallen in action, with the result that the mere fact of those women having been in the receipt of sums more than sufficient for their support had not conduced to either their social or moral improvement. He had, he might add, consulted his noble Friend (Lord Eustace Cecil) and his hon. and gallant Friend who sat near him (Colonel Loyd Lindsay) on the subject, and they had informed him that they had heard of no complaints of hardships officially from the persons actually concerned. There had been cases raised by individual members of Boards of Guardians, and he himself had had two instances of considerable inconvenience and hardship brought to his notice; but these were only isolated cases, by which the general principle involved was not affected. The scale of allowances to the wives and families of Reserve men had, he believed, been wisely and not expensively fixed in the first instance; but, as the Committee were already aware, directions had been issued from the War Office that payments should be made in advance, and another step had also been taken which, in his opinion, was a perfectly legitimate one, and which would have a considerable effect in giving indirect relief to those families. They had been placed on the same footing as the families of soldiers, and thereby had conferred upon their children the benefits of a free education where there were Army schools, there being a Warrant under which they obtained for those children the payment of the school fees. That would be a material assistance, and one which would, perhaps, meet the greatest change which had occurred since the Reserve men had entered into their present engagements with the Government. He did not wish to press the question of contract unduly; but it should not be forgotten that those men knew perfectly well what it was they would be entitled to receive, so that if they did not wish to take employment that was a matter for which the Government could not fairly be held to be responsible. He had been asked why a reduction had not been made in the Vote? That was a matter which he had considered; but he had not deemed it desirable that it should be reduced. There was, he hoped, at all events, a possibility that only a certain portion of the Army Reserve Vote would be required before the end of the financial year. But, whether that turned out to be so or not, in view of the possibility — he might almost say the certainty — of having to apply for another Vote for those men before they could serve with the Army, he did not think that any practical benefit was to be obtained from restoring money on the one hand, while an additional amount would have to be voted on the other. Considerations of general convenience had induced him to come to the conclusion that the Vote should be allowed to stand as it was originally proposed, and any money which might be left unexpended would, of course, be surrendered at the close of the financial year. He had been asked a question with regard to good-conduct pay, and he had to say, in reply, that prior to 1874 the men belonging to Section A of the Army Reserve were entitled to reckon all their previous service, both in the Army and the Reserve, towards good-conduct pay, as well as a pension. In February of that year, however, Viscount Cardwell came to the conclusion that there was no good reason why good-conduct pay should continue when the men were called out for service, and a Warrant was issued which cancelled the Memorandum which previously existed. Unfortunately, there was a printed Paper, on which the men were supposed to rely, promising the continuance of the advantages which they had enjoyed, and he need not say that a few days after they were called out attention was invited to the grievance of which he was speaking; and, acting on the principle that faith must be kept with them, a General Order had been issued, and further modifications were either about to be made, or were actually made at the present moment, in accordance with which the men in Section A would be able to reckon all their previous service in the Army as well as in the Reserve towards good-conduct pay. The men in Sections B and C would be allowed to reckon all their previous service in the Army, together with their service in the Army Reserve, towards good-conduct pay and pension. By that means good faith would be kept with the men, and the justice of the case would, he believed, be substantially met. He had been asked if he could furnish the Committee with any data to show why the number of the Army Reserve did not come up to that which was originally expected? He was afraid he did not possess any such data in a form in which they could be laid on the Table of the House; but those which had been left him by his noble Friend and Predecessor went to show that, in the first instance, sufficient allowance had not been made for desertions, for the fact that the system of short service tended a good deal in that direction, or for the number of men who purchased their discharge. These were the causes which had been in operation, and, so far as he could gather, the result would be that the number of the Reserve should be fixed at 60,000 instead of 80,000, which was the number originally stated. He gave that calculation for what it was worth; but it would, he believed, be found to be substantially correct.

COLONEL ALEXANDER reminded the right hon. and gallant Gentleman, that he had forgotten to answer his question with reference to the medical examinations.

COLONEL STANLEY believed that measures would shortly be taken to make the medical examination periodical, as well as more stringent. Every attention would be paid to that point.

MR. PARNELL said, he had not asked why the Vote had not been reduced, but why it had been very largely increased? At present the Reserves were on another Vote, and he felt perfectly convinced that not more than £100,000 need be spent upon the Army Reserve, although the Committee were called upon to vote a sum of £185,000. Under these circumstances, he must press for the reduction of the Vote.

Question put, and *negatived.*

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow,* at Two of the clock;

Committee to sit again *To-morrow.*

MEDICAL ACT (1858) AMENDMENT (No. 2) BILL—[Bill 196.]

(*Mr. Arthur Mills, Mr. Childers, Mr. Goldney.*)

SECOND READING.

Order for Second Reading read.

Mr. A. MILLS, in moving that the Bill be now read a second time, said, its object was to provide for a conjoint scheme of examinations, making uniform the test of admission to the Profession in the three Kingdoms, and providing for the direct representation of the Profession in the Medical Council. The measure contained provisions in regard to the double qualification of medical and surgical practitioners, and further provisions as to the registration of Colonial practitioners.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. A. Mills.*)

Sir CHARLES W. DILKE did not think the House ought to go on with the Bill at so late an hour of the night. Hon. Members were aware that a large and important Government measure on this subject had been printed in "another place." The subject was very intricate, and this Bill appeared to be a very long one. Under the circumstances, he begged to move that the debate be now adjourned.

Mr. DILLWYN seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Sir Charles W. Dilke.*)

Mr. A. MILLS said, he had no objection whatever to the adjournment of the debate, and he would put off the second reading till Wednesday next.

Motion *agreed to.*

Debate *adjourned* till *Wednesday* next.

RACECOURSES (LICENSING) BILL.

(*Mr. Anderson, Sir Thomas Chambers, Sir James Lawrence.*)

[BILL 76.] COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Definitions).

Mr. ISAAC said, he thought it was too late to go on with the Bill, and therefore he would move that the Chairman should now leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Isaac.*)

Mr. J. LOWTHER observed, that the Bill passed the second reading by a narrow majority of only two votes. He himself had taken part in the discussion on the second reading, in the same capacity in which he now appeared—namely, as a private individual, and not as in any respect representing the Government. On the former occasion he stated that the subject of race meetings within the Metropolitan district was about to be brought under the notice of the Jockey Club. To make sure that that course would be adopted, he himself took the earliest opportunity of laying the matter before the Club. At that meeting, a resolution was passed to the effect that the stewards should be requested to take steps to oppose the Bill. The question was mooted at the meeting as to whether a Petition against the Bill should be adopted; but as some of the members of the Jockey Club were persons who occupied high positions in the political world—one steward being the noble Lord the Leader of the Opposition, and another steward being also a Member of the House of Commons—it was thought that it would be more decorous to leave the matter in the hands of the stewards. The noble Lord undertook at that meeting to oppose this Bill, and his hon. Friend the Member for North Lincolnshire (Sir John Astley), at that time a steward, also undertook to adopt a similar course. The Jockey Club were not content with merely opposing this Bill; but, on a subsequent occasion, their attention was again drawn to the subject. He was not himself present at the meeting; but it appeared, from the records of the proceedings, that an assurance was given on that occasion that the Jockey Club would take cognizance of abuses which were brought to their knowledge with reference to race meetings. The complaints to which the hon. Member who introduced the Bill referred, had not been submitted to the Jockey Club in a tangible form. If, instead of being communicated anonymously or otherwise to the newspapers, they were brought before the Club, notice would be taken of them. The magistrates, at the present moment, had considerable power with regard to the licensing of refreshment booths. By declining to grant occasional licences, disturbances and nuisances could be put down by the magistrates. Other evils could be dealt with by the Jockey Club. It was sometimes said that the Jockey Club had no absolute power over these race meetings. He ventured to say, however, that it had complete power. If the publication of the programme of a meeting in the official Calendar were prevented by the Jockey Club, the meeting would *ipso facto* come to an end. As a body existed which possessed this power, and had signified its intention of exercising it with a view to checking abuses at race meetings, he hoped the Committee would hesitate before it took jurisdiction from that body and put it in hands which, in his judgment, were unfit to exercise it. It would be impossible to confine the operation of the principle established by this Bill to the narrow limits proposed by the hon. Member for Glasgow (Mr. Anderson). How would it be possible, for example, to limit its operation to the Metropolis, and not to extend it to Provincial towns? He thought it would be most unwise for the Committee to adopt this measure, and he believed it would best suit the convenience of hon. Members to take the sense of the Committee on the Question, "That the Chairman do now leave the Chair?" This was what was called an "open question;" and whichever way the matter was determined, the existence of Her Majesty's Government would not be affected. On the previous occasion, Members on both sides of the House voted in accordance with their individual views, and he felt sure they would do so now.

Sir HENRY SELWIN-IBBETSON said, this question occupied for some time the attention of the Office to which he lately belonged. Whilst he was at the Home Office, numerous complaints were received from the Metropolitan Police Force as to these race meetings. Indeed, the complaints were of so grave a character that it was seriously considered whether a Bill ought not to be brought in by the Government to do very much what the hon. Member for Glasgow (Mr. Anderson) proposed to do by this Bill. When this measure came on before in the House, he abstained from supporting it in consequence of the assurance of his right hon. Friend that the Jockey Club had the power, and that they were prepared to deal with this particular question. Since that discussion took place, the matter had been under the consideration of the Jockey Club, and one hon. Member belonging to that Club had since withdrawn his opposition to this Bill, and had stated that the Jockey Club would not do what they were thought to be able to do. Under these circumstances, he thought the Committee would see that it was placed in a position very different to that which it occupied when his right hon. Friend last opposed the measure. On that occasion his right hon. Friend had induced him not to vote against it by stating that there was another remedy for the evil complained of. That remedy had failed, the nuisance of these race meetings in the neighbourhood of the Metropolis was as great as ever, and he thought the House should itself take some step, instead of leaving the matter to a body which was wholly inadequate to deal with it.

Mr. ANDERSON had nothing to say in addition to what had fallen from the Financial Secretary to the Treasury.

Sir H. DRUMMOND WOLFF thought that if this Bill were so extremely desirable, it ought to have been introduced by the Government. The definition of races in the Bill was of the widest possible character. He scarcely thought the Committee could pass a definition of this kind merely on the responsibility of a private Member. He hoped his hon. Friend would persist in the Motion that the Chairman should leave the Chair. This was a Bill of a most tyrannical character, and, if introduced at all, it ought to have been brought forward on the responsibility of Her Majesty's Government.

Mr. J. LOWTHER desired to correct his hon. Friend (Sir Henry Selwin-Ibbetson) in one point. His hon. Friend, who had, of course, as much right to his opinion as he (Mr. J. Lowther) had to his, and with whom he cheerfully could agree to differ, said an assurance was given on the last occasion when this question was under discussion that the Jockey Club would do something. He was one of those who gave that assurance, and he wished to inform the Committee that the Jockey Club had done something. As the noble Lord the Leader of the Opposition had stated at a recent meeting of the Club, the Jockey Club had published a notification requesting gentlemen who might be asked to act as stewards at race meetings not to do so until they had assured themselves that such meetings would be conducted on a proper footing. This notification had been published in the official Calendar during the last few weeks. His hon. Friend appeared not to be aware of that fact. In the event of this notification not being found sufficient, further measures would, he had no doubt, be adopted by the Jockey Club. It was sometimes said that the persons who took part in these race meetings did not care for the opinion of the Jockey Club; but he maintained that they did, and that the Jockey Club could stop them by simply putting a veto on the publication of the programme. If complaints were addressed to the Jockey Club instead of being sent, anonymously or otherwise, to the newspapers, they would be much more efficiently dealt with.

Mr. ANDERSON observed, that the Grand National Hunt Committee had done exactly the same thing as the Jockey Club. They also had requested their members not to act as stewards at these meetings, but actually two members of the very Committee which had made this request went down to Streatham and acted as stewards within three months. The Jockey Club had not even carried out their own rules, which had now been in existence for a year and a-half, and they knew it would be inexpedient for them to do so. The hon. Member for Mid-Lincolnshire (Mr. Chaplin) was well aware of that, and, consequently, he had withdrawn his opposition. The hon. Member was satisfied that the Jockey Club could not deal with the matter, and that it would be better for some other parties to undertake the task. For that reason, the hon. Member's opposition to the Bill had been withdrawn, and there was no longer any *bonâ fide* opposition to it. The hon. Member for Christchurch (Sir H. Drummond Wolff) had objected to the wording of the Bill. To that he would only remark that the Bill had been four months before the House, since it gained second reading, and that during that time not a single Amendment relating to the wording of the Preamble or the clauses had been placed on the Paper. The measure was not intended to put down any racing, but only to cause certain race meetings to be conducted in a better style than they had been in time past. Those who opposed the Bill were fighting the battle of the "welshers," the blackguards, and the swindlers who attended those race-meetings. In doing all he could to fight the battle of the "welshers," the right hon. Gentleman opposite had placed himself in a most unenviable position.

Question put, and *negatived.*

Clause *agreed to.*

Clauses 2 to 5, inclusive, *agreed to.*

Clause 6 (Penalty on owners and occupiers of ground where unlicensed horse-races take place).

Sir H. DRUMMOND WOLFF moved to report Progress, as it was too late now to discuss properly the amount of the fines.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir H. Drummond Wolff.*)

Mr. ANDERSON said, the amounts of the fines were adjusted in consultation with the Government last year. They were made rather heavier than was originally proposed, in order to please the Government; and, therefore, he could not consent to change them without the consent of the Government.

Sir HENRY SELWIN-IBBETSON said, the hon. Member for Glasgow was correct in saying that the fines, as they appeared in the Bill, were agreed upon by the Home Office and the hon. Gentleman last year. Still, he now thought that smaller fines would be sufficient to meet the object in view.

Motion, by leave, *withdrawn.*

Sir H. DRUMMOND WOLFF moved to leave out "ten pounds," in order to insert "five pounds."

Amendment *agreed to.*

Sir H. DRUMMOND WOLFF moved to insert "twenty-five pounds" instead of "fifty pounds."

Amendment *agreed to.*

Mr. ONSLOW thought, that as the amount of the fine had been diminished, he would propose that the term of imprisonment should be reduced. He moved to reduce it from "three months" to "three weeks."

Sir HENRY SELWIN-IBBETSON hoped his hon. Friend would not press this Amendment. A fine of £5 would carry three months' imprisonment, and a week's imprisonment would be no penalty at all in a case of this kind.

Sir WILLIAM FRASER thought the punishment should be sufficiently severe.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Remaining clauses *agreed to.*

On Question, "That the Preamble stand part of the Bill?"

Sir CHARLES W. DILKE said, he should like to ask his hon. Friend (Mr. Anderson), whether his definition of a horse-race was sufficient? The Preamble made the Bill apply to horse-races, and in the 1st clause a horse-race was defined as a race in which a horse ran against a horse or against time. There were, however, various other forms of horse-racing. For example, there was the racing of horses against bicycles; and he doubted very much whether the definition would apply to races of that kind. He objected to the Bill altogether; but if it were to pass at all, it ought to be in proper form.

Mr. ANDERSON promised to consider the point. He thought, however, that the definition did cover every reasonable thing in the shape of a horse-race. If there were any kind of swindling transactions going on in bicycle-racing, the Bill, of course, ought to be extended to that also.

Mr. DILLWYN asked when his hon. Friend proposed to take the Consideration?

Mr. ANDERSON: To-morrow.

Sir H. DRUMMOND WOLFF objected to this arrangement.

Mr. ANDERSON said, he had intended to fix the Consideration for to-morrow; but he would not persist in that resolution, if any objection was raised.

Preamble *agreed to.*

Bill *reported;* as amended, to be considered upon *Monday* next.

TENANT RIGHT (IRELAND) BILL.

(*Lord Hill-Trevor, The Marquess of Hamilton, Mr. Mulholland, Captain Corry, Mr. Chaine.*)

[BILL 31.] CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill be now considered."—(*Lord Hill-Trevor.*)

Mr. MACARTNEY said, he had supported the second reading of the Bill. He placed on the Paper some clauses which he proposed to add to it; but he was not in the House when the adjournment took place just before the Whitsuntide Recess. His only opportunity, therefore, of moving the new clauses now would be upon the Report. He did not suppose that the noble Lord who had charge of the Bill wished to avoid discussion of the new clauses which he desired to propose. Therefore, he hoped that an opportunity would be given to him of bringing those clauses forward. In conclusion, he moved that the consideration of the Bill, as amended, should be postponed till Monday.

Amendment proposed, to leave out the word "now," and at the end of the Question, to add the words "upon Monday next."—(*Mr. Macartney.*)

Question proposed, "That the word 'now' stand part of the Question."

Lord ARTHUR HILL-TREVOR, having referred to what occurred the other day, expressed his opinion that the hon. Gentleman was entirely out of Order in moving the adjournment.

Mr. RAIKES was quite aware that the new clauses might sometimes be moved on the Report of a Bill which could not be considered in the Committee. At the same time, he was of opinion that the Amendments of the hon. Member for Tyrone had been inadmissable at the earlier stage, inasmuch as they dealt with a larger question than that to which the Bill related. The Bill proposed to amend the law of Tenant Right in the case of leasehold property. The Amendments of the hon. Member for Tyrone proposed to make the Bill applicable to all property held by any tenure whatever. That, it appeared to him, would extend the operation of the Bill, and make it quite a different measure from the one which had been submitted to the Committee. Accordingly, he had intimated on a previous occasion that these Amendments were at that time out of Order. He understood his hon. Friend the Member for Tyrone now to propose to adjourn the debate. He should advise his noble Friend to accede to the proposal, as this was a matter requiring consideration, and the clauses which were objectionable in Committee might be regarded as not being open to objection in the House. The subject would, he trusted, be discussed on an early day.

Mr. MACARTNEY said, it was his intention that the matter should be discussed at the earliest opportunity.

Question put, and *negatived.*

Words *added.*

Bill to be considered upon *Monday* next.

ADMIRALTY AND WAR OFFICE [RETIREMENT OF OFFICERS].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payments, out of Funds in the hands of the Commissioners for the Reduction of the National Debt, of gratuities to Clerks in the Departments of the Admiralty and of the Secretary of State for War, on their retirement or removal from office; such sums to be repaid to the National Debt Commissioners either by way of terminable annuities out of moneys provided by Parliament, or by issue out of the Consolidated Fund of the United Kingdom or the growing produce thereof.

Resolution to be reported *To-morrow,* at Two of the clock.

House adjourned at Two o'clock.

HOUSE OF COMMONS,

Friday, 14*th June,* 1878.

MINUTES.]—Supply—*considered in Committee —Resolutions* [June 13] *reported.*

Public Bills—*Ordered—First Reading*—Landlord and Tenant (Ireland) * [218]; Public Works Loans (Ireland) Act (1877) Amendment * [219].

First Reading—Metropolis Improvement Provisional Orders Confirmation (Bowman's Buildings, Marylebone, &c.) * [217].

Committee—Valuation of Property [94], *debate adjourned.*

Considered as amended—Third Reading—Local Government Provisional Orders (Belper Union, &c.) * [164]; Local Government Provisional Orders (Bournemouth, &c.) * [213]; Local Government Provisional Orders (Abergavenny Union, &c.) * [166], and *passed.*

Third Reading — Inclosure Provisional Order (Llanfair Waterdine) * [190]; Elementary Education Provisional Orders Confirmation (Birmingham, &c.) * [191]; Provisional Orders (Ireland) Confirmation (Dungarvan, &c.) * [193]; Local Government Provisional Order (Darenth Valley) * [206]; Local Government Provisional Orders (Dawlish, &c.) * [212]; General Police and Improvement (Scotland) Act, 1862, Amendment * [147], and *passed.*

The House met at Two of the clock.

QUESTIONS.

UNITED STATES—TREATY OF WASHINGTON — THE TWENTY - SECOND ARTICLE—AWARD OF THE FISHERIES COMMISSIONERS.—QUESTION.

Mr. GOURLEY asked Mr. Chancellor of the Exchequer, If he will be good enough to inform the House of the nature of the communications received from the United States Government relative to the Award recently made by the Fisheries Commissioners under Article 22 of the Treaty of Washington; if the amount awarded is equivalent to the value of the inshore fisheries of the North American Colonies, or if the Award requires modification as indicated in the Report made to the Senate by the United States Committee on Foreign Relations on the 28th May last, and in which the value of the fisheries is alleged to be only 25,000 dollars per annum in place of the amount awarded; and, further (if not inconvenient to the public service), if he will cause all the Correspondence between the several contracting parties to be placed upon the Table of the House?

The CHANCELLOR of the EXCHEQUER: Sir, I believe that up to the present time no communication has been received from the United States Government relative to this Award. I am, however, having all the Papers examined, and, I believe, we shall be in a position shortly to present Papers on the subject.

POOR LAW—THE DOLGELLY GUARDIANS—CURE OF CHILDREN.

QUESTION.

MR. WHEELHOUSE asked the President of the Local Government Board, Whether the following alleged entry, said to have been made by Mr. Brown, the District Inspector under the Local Government Board, and read at the last meeting of the Dolgelly Guardians, be correct, namely :—

> "I must again request the special attention of the guardians to the notes made by me on both my last previous visits as to the care of the children and others being left to the 'imbeciles.' This is no fault of the master, as he has no other person to place in charge. At present the male nurse is an 'imbecile,' and Jane Richards, also an 'imbecile' of violent temper, and the mother of illegitimate children, is in charge of the children. I can only characterise such a condition of things as a disgrace to the union;"

if such entry be correctly reported, whether the Local Government Board is actually powerless to put a stop to a state of things which has already lasted apparently for a considerable length of time; or, if the Local Government Board is not so actually powerless, whether it will immediately exercise any power it possesses for the purpose of causing such a condition of things to be remedied and removed?

MR. SCLATER-BOOTH: Sir, I am not aware of the terms in which Mr. Brown expressed himself in the visitors' book of the Board of Guardians of the Union referred to; but a statement of his to the same effect as that now quoted was communicated to the Local Government Board so long ago as the 24th of May last. On the 1st of June following the Local Government Board addressed a communication to the Board of Guardians, informing them of the statement made by the inspector, and stating that the arrangements referred to by him were most objectionable, and must be immediately discontinued. The Board pointed out that if the Guardians could not place a trustworthy inmate in charge of the children, it was their duty to appoint a paid officer. Their reply has not yet been received, but the subject shall not be lost sight of.

THE EASTERN QUESTION — THE AGREEMENT BETWEEN RUSSIA AND ENGLAND.—QUESTION.

MR. W. H. JAMES wished to ask Mr. Chancellor of the Exchequer a Question, of which he had given him private Notice—namely, Whether the document published in "The Globe" of this afternoon, purporting to be the full text of the terms of an agreement between England and Russia relative to the Congress, is authentic?

THE CHANCELLOR OF THE EXCHEQUER: Sir, my hon. Friend informed me of this Question only two minutes ago. When he did so, I had not seen *The Globe;* and, though he has placed a copy of it in my hands, I have not yet had time to examine the document to which he has referred. I can only say that the document has not, in any way, been communicated by Her Majesty's Government—of that I am quite certain; but, as to whether it is correct or not—authentic or not—that is a question which I cannot, without examination, profess to answer.

CONTAGIOUS DISEASES (ANIMALS) BILL.—QUESTION.

MR. J. COWEN asked Mr. Chancellor of the Exchequer, If he proposes to proceed with the Contagious Diseases (Animals) Bill on Thursday next?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that he would not be able to take the second reading of the Bill in question until Thursday week.

ORDERS OF THE DAY.

—⸰—

VALUATION OF PROPERTY BILL.

(*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer, Mr. Salt.*)

[BILL 94.] COMMITTEE.

Order for Committee read.

MR. SCLATER-BOOTH said, that although the measure had been twice before Parliament, and although, after he had introduced it at considerable length, it had received the sanction of the House so far as the debate which followed enabled him to judge, it had not as yet made any further progress. Although that was the case, however, the Bill had passed through a crucical ordeal. It had been considered and examined by the various local authorities throughout the country, and Amendments and points for consideration in connection with it had been suggested by those bodies. They had freely communicated with him on the subject, and he had received not only innumerable letters on the question, but also a large number of deputations. The result was a Bill which, he believed, approached very nearly to that which the most competent and experienced authorities believed to be a practical and effective measure of improvement and reform. The first object of the Bill was to secure a uniform system of valuation, instead of having property valued by three different authorities, as at present; and the second intention of the measure was to insure uniformity in the charge for the county rate, a step which, in his opinion, would pave the way for other administrative reforms. The Bill now before the House had also this to be said in support of it—that a similar measure had been in operation in the Metropolis for 10 years, and, on the whole, had proved remarkably successful. The necessity for some such reform as it proposed could not be denied, especially in view of the fact that the subventions paid out of the Exchequer for local purposes were growing larger year by year. The Government itself had a peculiar interest in the question, inasmuch as it was the largest ratepayer in the Kingdom, being assessed at something like £600,000 a-year. This Bill was not a root-and branch measure, but only one of a lengthened series of steps in the direction of improvement in this branch of the Public Service. It might be that in the opinion of some the whole of the present system should have been swept away and a fresh scheme devised. If the present system had appeared to be incapable of amendment, some fresh scheme might no doubt have been devised, but no such case had been made out. The Bill introduced no alarming innovation which the House need fear to sanction. The means by which the Government hoped to attain the object in view were twofold. In the first place, they required the assessment committees to take into their consideration the Returns which were furnished to the Inland Revenue officers as a basis for the income and property tax, in order to secure an average uniformity. The Government believed the operation of that plan would be to secure uniformity in the assessment of the gross estimated rental on which the property tax was now to be charged. The Bill further provided, by a scale of deductions which would be found in the Schedule, a means by which uniformity would likewise be attained in regard to the rateable value column of the valuation list or rate book. They had the experience of a number of counties which had adopted the principle. In England no fewer than 17 counties absolutely relied on the property tax Returns to check and correct the totals arrived at by the overseers. On going into Committee he was met with four Amendments. He would say nothing now as to the Amendment of the hon. Member for Meath (Mr. Parnell), which, if carried, would be fatal to the further progress of the Bill, because he was not yet aware on what arguments it was likely to be founded; and, moreover, after the support given to the measure of last year, he did not imagine that the Amendment would be pressed. Then there were the Amendments of his hon. Friend the Member for South Norfolk (Mr. Clare Read), who repeated the Amendments placed on the Paper last year in the name of the hon. Member for Newcastle (Mr. J. Cowen), the effect of which was that the question of valuation should be postponed until after the County Board had been established. For his own part, he had always insisted on the importance of a Valuation Bill as the foundation of all other Local Government improvements. The other day, his hon. Friend assumed he would strike out the 25th clause, which had been designed to introduce the functions of a County Board. He had not, however, thought it right to expunge that clause, but he proposed an *interim* arrangement by the appointment, for the discharge of those duties, of a committee of magistrates. He should have been very willing to associate with that committee of magistrates the chairman or some other member of the various assessment committees; but he refrained from putting that proposal on the Paper, because he might be told that by so doing he would prejudge the future establishment of the County Board. He should, however, have had no such intention or wish. The Government believed that a great, although not a complete, approach towards uniformity would be achieved by the provisions as to county supervision as they now stood in the Bill. He felt satisfied that the passing of the measure would advance the object his hon. Friend the Member for South Norfolk had in view. He trusted the hon. Gentleman would be satisfied to assist in its further progress, and he thought the time would speedily arrive when the hon. Gentleman's views would admit of a more practical solution. He could say the same thing with regard to his right hon. Friend the Member for the City of London (Mr. J. G. Hubbard). His right hon. Friend desired an improvement in the assessment to the income tax; but to adopt the Motion of his right hon. Friend at present would oblige the Chancellor of the Exchequer to part with property tax on £20,000,000. With all respect to his right hon. Friend, he must say he thought it unfair that a measure which had for its object the uniform valuation of the country should be hampered with a proposal relating to the incidence of the income tax, with which, *primâ facie*, it had nothing to do. An hon. Gentleman who represented the Scotch system of valuation (Mr. Ramsay) had also a proposal on the Paper to discharge the Order for Committee at present, and refer the matter to a Select Committee. He need not say that the Government would not for a moment entertain such a proposal, and they had some reason to complain that the hon. Member pressed his own measure before the House, having regard to the circumstances under which that measure was read a second time. A Morning Sitting had been devoted to it, and interesting speeches were made upon it; but he (Mr. Sclater-Booth) had no opportunity of replying to them; while a subsequent opportunity was taken of bringing on the Bill between a quarter to 6 and 6 o'clock on a Wednesday afternoon. However desirable it might be to begin a system *ab initio* of county administration as it existed in Scotland, there were many fatal practical objections to the measure. When the hon. Member moved his Motion, he should have an opportunity of replying to it. The House was aware of the great and increasing difficulties which the Government had to encounter in passing through Parliament a measure of extreme detail which was not of such a character as to excite a strong feeling in the country. The experience of the last three years had shown how a measure of this kind, which he really believed to be approved, in the main, by all the local authorities in the Kingdom—men who were the most conversant with the subject, the most interested in the matter, and who would have to put the law into operation—had been defeated; and he thought that his right hon. and hon. Friends who were here to-day would best consult the objects they had at heart, as well as the wishes of the country, by assisting the Government to go into Committee and shape a satisfactory measure. He merely wished to introduce by this Bill those amendments which were required in the law of rateable property, and to remove the absurdities which now prevailed of assessing the value of the same house and the same acre of land at three different figures for taxing purposes. It was with the hope that they should this day make some progress in passing the clauses of a Bill which was intended to remove such absurdities that he now begged to move that the Speaker do leave the Chair.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Sclater-Booth.*)

MR. B. T. WILLIAMS said, he wished to make a few observations which had struck him on reading the clauses of the Bill. The assessment committees, as far as his experience went, were composed of the men best able to form a correct valuation of the property in their neighbourhood. On the assessment committees with which he was connected were landed proprietors, land agents, colliery proprietors, and colliery engineers. Assessment committees composed of such men were the most likely to arrive at a correct valuation of the property with which they were immediately acquainted. The error of the Bill consisted in this, that it did not give due weight to the conclusions which might be arrived at by the assessment committees. The Bill subjected the deliberate decision of the assessment committees to the most complex and multifarious mode of correction and appeal. Even the committee itself was to be compelled by the provisions of the Bill to state a case for the opinion of the High Court of Justice. In addition, there was an appeal to the petty sessions, an appeal to the quarter sessions, and an appeal to the special petty sessions and quarter sessions, and the quarter sessions also had power to state a case for the High Court of Justice. Further, the decision of the assessment committee would be subject to supervision by the County Board, or it might be, as the right hon. Gentleman had intimated, by a committee of the quarter sessions. He could understand an appeal from the overseers of the parish to the petty sessions; but when they had the most competent men that could be appointed, what was the object of appealing from a body of special aptitude to the petty sessions? It was nothing more than an appeal from a superior to an inferior tribunal. The Bill further enabled a party before the assessment committee to make that committee state a special case for the decision of the High Court of Justice. There were great difficulties connected with a special case. What did it mean? He knew nothing that was attended with so much delay and expense to parties as stating their special case. When stated, it was entered in the Court List, and a year or 18 months might expire before it came on to be argued. It was not desirable, at this early stage, to complicate the proceedings by giving parties the opportunity of at once taking their argument and difficulties to Westminster Hall. The proper course would be to abolish entirely appeals to petty sessions and also abolish the power of the assessment committee to state a case for the High Court of Justice. In old times the appeal to the court of quarter sessions worked very well; but, the assessment committee once established, he did not think the few magistrates at quarter sessions who remained to hear appeals formed the best tribunal for overruling the decisions of the assessment committee, and he thought some new body ought to be established for that purpose. They had now a suggestion from the right hon. Gentleman of a committee of the court of quarter sessions to consider the valuation arrived at by the assessment committee. What could be the object of the right hon. Gentleman in appointing a committee of quarter sessions to act independently of quarter sessions, although forming part of the court? It was altogether a most incongruous and impracticable proposal. The right hon. Gentleman was in difficulty in dealing with this question because the County Government Bill, which was the basis of this Bill, had been taken away. Hopes had been held out of a County Government Bill, and there was a growing desire in the country to have some scheme to enable counties to select for the management of their business those who might appear competent; but he feared there was now little hope of a County Government Bill being passed this Session. He would therefore suggest that it would be much better to postpone the consideration of the present Bill until the whole subject could be dealt with in the shape of a comprehensive measure, of which this could only be considered a portion; and he should therefore support the Amendment of which Notice had been given by the hon. Member for South Norfolk.

Mr. CLARE READ, in rising to move the following Amendment:—

> "That no re-adjustment of the system of assessment will be complete or satisfactory to ratepayers until a representative County Board is established, with power of hearing appeals on questions of value, and for securing uniformity of assessment,"

said, he so entirely agreed with what had fallen from the hon. and learned Member for Carmarthen (Mr. B. T. Williams), that he thought he might second the Amendment of which he had given Notice. He could not help thinking the conduct of the Government in regard to this Bill had been somewhat peculiar. It was ordered to be printed on the 28th of January, and it was not delivered to hon. Members till the 11th of May; consequently, his right hon. Friend had been 15 weeks in perfecting this Bill. Although read a second time, the Bill was really considered dead and buried till the other day, when intimation was given of the withdrawal of the County Government Bill. His right hon. Friend said this Bill had been before the country for years, but the fact was it had not been before the country at all. No meeting, and, as far as he was aware, not a single Chamber of Agriculture, had had the opportunity of considering it in its present form or discussing the Amendments which had been placed on the Paper. In pressing forward this measure, the Government had departed from the principle of the Resolution passed last year in favour of the establishment of County Boards. It was obvious that legislation on the subject of county government should precede any settlement of the question of valuation; but, in spite of that, the Government persisted in putting the cart before the horse; and if this and other kindred Bills were passed, the ratepayers would have to wait a long time before obtaining that system of county government which they so greatly desired to see established. If the Government had sufficient time at their disposal, they had no right to abandon the County Government Bill. If they had not sufficient time to proceed with it, they ought not to fritter away their time in proceeding with a small measure like this, but to have proceeded with the Cattle Diseases Bill. They had been told that this Bill was the same as that brought forward some years ago. He thought it was the same principle as the Bill introduced by Mr. Hunt in 1868. It was no Government Bill at all. It was a Local Government Board special scheme. His right hon. Friend had renewed his argument in favour of the Bill by saying that Government subventions required a new arrangement of assessments. He could not understand that argument, because the Government subventions for the police and lunatics did not depend on assessment at all. He had wondered very much that hon. Gentlemen opposite did not oppose this Bill because of its centralizing tendencies. They objected to the Prisons Bill, under which the Government reduced the authority of the local magistrates to a nullity. They objected to that; but they had never said a word here, when the Government were introducing into every assessment committee in the Kingdom one of their own paid officials—the surveyor of taxes. He was not aware that there was any excuse for the State meddling in this matter. He always thought it was the duty of the locality to see that the rates were levied fairly, not to look after taxes. He always fancied that the matter of taxes was a duty between the individual taxpayer and the State; but now they were going to assist the State to levy the taxes, and the State was going to assist them in assessing the rates. That union might be productive of great good, but he very much questioned it. The locality, like the wife, would be the weaker vessel, and the State, the stronger vessel, would very likely say to the locality—"What is yours is mine, and what is mine is my own." He contended that the scheme, as it was proposed, would inflict considerable hardship upon the owners of property. He knew it was said that taking rent as the basis was good for Scotland, but that it was not good for England? and some hon. Members had said that there were a great many cheap rents in England. He would like to know where they were to be found. Where was there most land unlet at the present moment in Scotland and England? Where did the greatest distress exist, and where was the profit made in the last 20 years? He held that the greatest profit was made by the Scotch farmer, rather than in England. When the Scotch farmer paid his rent, he paid the most of his outgoings at the same time. He had no tithes, and very few rates. But in England, where a man paid £1 an acre for arable land, he had 10*s.* or 12*s.* more to pay in tithes, &c. It was proposed that rent should be no longer the minimum; but if they had a surveyor of taxes, then the rent must be the minimum of assessment. If rent were adopted as the basis of rating, there would be few appeals, and there would not be any great necessity for the Amendment of which he had given Notice. Rent was a fact against which they could not appeal, although they might multiply appeals against opinions as to value. Let rent be accepted, and then if a man went before the assessment committee and said—"My rent is 30*s.* an acre, but I do not think it ought to be assessed at more than 20*s*," the committee would say—"As a fact you do pay 30*s.*, and that must be your assessment." It was stated in the debate on the second reading of the Scotch Valuation Bill, that there had been only 122 appeals since rent was made the basis of assessment; but in England appeals were being multiplied by hundreds and thousands. Take rent as the basis, and appeals would be simplified and reduced in number. According to the Bill, there would be first of all the assessment committee, then the petty sessions, then the quarter sessions, and then the Courts of Law; but that was a roundabout way of getting justice, and would compel the majority of poor ratepayers to put up with any inequality. He would say that, if County Boards should come into existence, the only question to be entertained by a County Board should be one of value, and points of law should go direct to the High Court of Justice. Of course, a County Board would also enforce a uniform system of deductions. It was said that, if his Amendment were adopted, it would stop the Bill; but he did not think so at all. Though he was not in favour of it, he did not wish to stop it if there was a desire to pass it; and he should be quite content, for the present, with the suggested Amendments of his hon. and learned Friend the Member for Cambridgeshire (Mr. Rodwell) for a temporary County Valuation Board power, the chairmen or members of the different assessment committees. Too much power was still left to the surveyor of taxes, who must be a perpetual screw-jack, putting all up to a higher level, but never putting anyone down; and, possibly, doing injustice to many because some man chose to pay more for property than it was worth. There was, of course, ample opportunity for a cantankerous and litigious man to cause appeals to be made against every assessment in a county. There was no very urgent necessity for the Bill, which had been before the House for 10 or 12 years, and the assessment committees were doing their work fairly well, although the law left them too much discretion; but give them the principle of rent to go on, and then they would do their work better. It was boasted that the Government had abstained from harassing and annoying classes and individuals; but this Bill would harass every assessment committee in the Kingdom. The Bill would really settle nothing; it would only be a temporary measure if it ever came into force; and it would be impossible to work it with that zest which was essential to good administration. It must be unpopular, because everyone whose assessment was raised would immediately say it was done by the surveyor of taxes, who was acting for the Government. The chief effect of the Bill would be to extract possibly more rates, and certainly more taxes, from the owners and occupiers of real property, without giving the slightest additional advantage or satisfaction in the county districts. The hon. Gentleman concluded by moving the Amendment of which he had given Notice.

Mr. J. R. YORKE seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "no re-adjustment of the system of assessment will be complete or satisfactory to ratepayers until a representative County Board is established, with power of hearing appeals on questions of value, and for securing uniformity of assessment,"—(*Mr. Clare Read*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. EVANS said, it had been his fate to sit on the hearing of many appeals, and never was any work so unsatisfactory to him. Whatever attention men of ordinary intelligence might give to the appeals, it was impossible to come to satisfactory conclusions. He had been sometimes inclined to say that as good a result might have been obtained by the tossing of a halfpenny; he therefore hoped there would be no increase in the number of appeals, unless a plan were devised of deciding them in a more satisfactory manner. He was much impressed with what had fallen from the hon. Member for South Norfolk (Mr. Clare Read), that the effect of this Bill would be to stave off legislation on the question of local government. The County Government Bill seemed to him to be a good one, and he should greatly regret if the passing of the Bill now before the House should have the effect of preventing a measure based on the principle of the County Government Bill becoming law. His own constituents had strong feelings in favour of such a measure, and were beginning to think the subject had been trifled with by successive Governments. He had no great objection to this Bill in itself, but he held that rental was the proper basis of value. There might have to be occasional exceptions, but rent would furnish the only satisfactory basis of value, for rent was a fact, while value was only an opinion.

Mr. PARNELL said, that under the circumstances he did not intend to move his Amendment, believing it would be more convenient to discuss that of the hon. Member for South Norfolk. He expressed his surprise that the Government should have taken the second reading of the Bill the day before the adjournment for the Whitsuntide Holidays, when the House had no expectation that the Bill would be proceeded with until some progress had been made with the County Government Bill. To the hon. Member for South Norfolk they were much indebted for the attention he had given to county government, and the influence which had induced the Government to give shape to the question; and, with the hon. Gentleman, he agreed that the Bill would have the effect of staving off the question of the establishment of County Boards. As an Irish Member, he felt great interest in the establishment of county government in England. Such might seem an extraordinary statement; but, as a matter of fact, if England suffered from the inperfection of its county government, Ireland suffered ten times as much. Both sides of the House agreed in the necessity of improvement in England; how much more desirable, then, must it be in Ireland? A Bill on such a subject should be as simple and workable as possible; and it might be well to direct attention to the Irish system, not with a view of adopting a similar system—for that was vicious, based as it was on a complete centralization—but the question of appeal was in Ireland very much simpler than the proposition made by the Bill. In Ireland there was a valuation of the whole country made by a central board of valuers at Dublin, a Government body, which sent out valuers all over the country. Yet, with this central board of superintendence, he doubted very much if there were more uniformity than in England. The English system proceeded on different lines and by a different method—that of assessment by local authorities, with appeals; and the system of appeals proposed by the Bill he could not but regard as a most vicious one. First, there was the appeal from the surveyor to the assessment committee. Practically that was so, for the committee reviewed the lists furnished by the officer. From the committee there was an appeal to the petty sessions, and those petty sessions were composed partly of the same men sitting on the assessment committee. This was a mixed and muddled system, scarcely worthy of the genius and ability of the President of the Local Government Board. After this appeal to the petty sessions there was an appeal to quarter sessions, and thence to the County Government Board. But the County Government Bill had dropped still-born, and instead there was substituted a committee of quarter sessions. That was how the matter would work, and the Bill might well be described as a County Government Bill in disguise. The right hon. Gentleman found himself unable to deal with county government, although he brought in a Bill with that object, together with two subsidiary measures—the Valuation and the Highways Bills. Then he dropped the first, making such alterations in the two latter ones as would enable them to take its place, and he (Mr. Parnell) feared they would have to wait many a long day for any alteration in the present county government from the present Government. If the hon. Member (Mr. Clare Read) went to a division, he should support him.

SIR WALTER B. BARTTELOT thought that his right hon. Friend (Mr. Sclater-Booth) had suffered from not having a seat in the Cabinet. His Bills had been put very much on one side, and a measure which might have had a chance of passing—the County Government Bill—had been absolutely shelved. The present Bill, as he had stated the other night, was an important one, far more important, perhaps, than even his right hon. Friend himself had thought it. It touched everybody in the Kingdom, from the poorest ratepayer to the highest in the land, and it ought to attract the greatest attention from all who were interested in the assessment of this country. They were bound to see that every measure they passed on the subject was a just and even one. If the Amendment of the hon. Member for South Norfolk (Mr. Clare Read) was carried, the Bill, of course, would be lost. It would, as they perfectly well knew, be impossible for his right hon. Friend to frame any measure, to be passed this year, which would establish a real, permanent, and lasting County Board. Therefore, they had to consider what they were to do with regard to the Bill. The Contagious Diseases (Animals) Bill took the first place in the estimation of a large number of Members. But there was another Bill which ought to have the precedence of the present one, and which ought to be passed — namely, the Highways Bill; and if they dealt with this measure, he doubted whether they would be able to deal with the Highways Bill. Although he would not say that in every possible case rent should be their guiding star in respect to assessment, yet, as a general rule, the criterion of rent ought to be followed. Looking broadly at the question, it ought to be more definitely laid down that, except in peculiar circumstances, rent should be taken as the basis of assessment, and then they might hope to get rid of the hundreds and thousands of appeals of which the hon. Member for South Norfolk had spoken. What had fallen from the hon. and learned Member for Carmarthen (Mr. B. T. Williams) went a long way in the direction of the truth. The petty sessions, as a court of appeal, was not the best that could be devised, but it was inexpensive. The quarter sessions was not a bad court of appeal, because there they had men who would carefully go into the circumstances of each case. If, however, they could obtain such a County Board as would have the confidence of the ratepayers, and also of the owners of property, that might form a satisfactory court of appeal, and there would not be the same necessity for any further appellate tribunal for such matters. If a Bill of this kind were to be passed, it ought to be fair between class and class, between the ratepayers of one parish and the ratepayers of another, between one Union and another in a county, so that the different charges thrown over a county should not be 25 per cent less in one part than in another. He was sure that a really good County Board would take care that no injustice should be done between one Union and another Union. Looking at the whole case, and at the position in which his right hon. Friend had been placed, he ventured to hope that the Bill would be allowed to proceed; because, looking at the balance of one thing with another, he believed there was a great deal of good in this Bill. He hoped if the Bill became law, it would last for many years. There was nothing in it which would prevent a County Board being hereafter appointed, and he should vote for the Bill going into Committee.

Mr. RAMSAY said, that in addressing the House last year he had pointed out that the Bill was very cumbrous for the purpose for which it was intended, and not likely to secure that uniform valuation throughout Great Britain, which he thought should be secured by any measure the House might pass on this subject. The complicated nature of the arrangements contained in the Bill appeared to him an insuperable objection to it, if there were no other. But the right hon. Gentleman himself had pointed out that there was no great reason why the Bill should pass at all, because he had told them that in two-fifths of the counties of England perfection and uniformity of valuation were already secured.

Mr. SCLATER-BOOTH: I said that the county rates in 17 of the counties were satisfactory; but it does not at all follow that the Union rates are satisfactory in the same counties.

Mr. RAMSAY said, it was undoubted that inequality still existed in the different Unions, owing to the various modes of assessment, and there could be no marvel at that being the case under the Bill. As it stood, the overseers were enjoined, in the first place, to make up valuation lists without any definite rule being prescribed for the determination of value. These lists they were to send to the surveyor of taxes, who, after revising and signing them, sent them to the assessment committees. These committees had power to make such changes on these lists as they deemed fit. After finally approving of the lists, they were to refer them to the county authorities. The decisions of the assessment committee or the justices in petty or quarter sessions might be appealed against to the High Court of Justice. He did not disapprove of the appeal on points of law to this court; but why all this other machinery to attain what might very simply be attained by taking the real rent as the basis of valuation? On a previous occasion the right hon. Gentleman had told him that the Bill did provide for something like the real rent being taken. In the definition of the gross value which was given in the Bill, it was said it should mean the actual rent which the tenant might be reasonably expected to pay, taking one year with another; but not that the rent that the tenant actually paid should be taken. In his (Mr. Ramsay's) Bill, on the contrary, it was said, where lands and hereditaments were in good faith let for a yearly rent, without payment or consideration of any kind other than the rent, such rent should be taken and deemed to be the yearly rent and annual value of such land or hereditaments. If the right hon. Gentleman would agree to accept this definition, as an instruction to the overseers and assessment committee as contained in his (Mr. Ramsay's) Bill, it would be a very considerable improvement in the principle of the Government Bill. The great diversity produced by the action of the assessment committees of the various Unions was a cause of just complaint. It afforded no basis for Imperial valuation, as it was admitted that the valuation of the local authorities did not apply except in cases where the surveyor of taxes had approved of the valuation list. The right hon. Gentleman had shown the House that there was not much reason for his own Bill being pressed forward. If the right hon. Gentleman would agree to remit it to a Select Committee, he (Mr. Ramsay) would be glad hereafter to move to remit his Bill also, that such Committee might frame a measure consolidating the two, and thus produce a Bill, the provisions of which would operate uniformly throughout Great Britain. There might, then, be some chance of getting a satisfactory valuation list which might endure under the County Government Bill when it hereafter became law. But there was another objection he had to the provisions of the Bill, irrespective of the numerous steps it rendered necessary in framing a valuation list, and that was the duration of the list when once it had been framed. Why should the list endure for five years in England, and be annual in Scotland? He had formerly shown that a quinquennial list would not be satisfactory, and might be unjust. Instead, therefore, of only making up a supplementary list, the whole valuation list should be made up anew every year, as was done in Scotland. He could not see any good reason why the right hon. Gentleman should refuse to have this done. Although it was not incumbent upon the Inland Revenue Department in Scotland to accept the valuation roll, except in the case where the surveyor of taxes acted as assessor, he was aware of no case where that valuation roll was not accepted for the Imperial taxes. That being so, why adopt a cumbrous and complicated system in England, and so perpetuate the diversity of practice between it and Scotland—a diversity which was wholly useless to the community? The right hon. Gentleman had made a complaint of the action he (Mr. Ramsay) took in asking the House to read his Bill a second time. He was surprised to hear him do so after what had occurred with his own Bill. Anything more unreasonable than that complaint he never listened to in that House. He only took the second reading of his Bill some weeks after it had been discussed in the House, and it was months after that before the right hon. Gentleman submitted the Government Bill to the House. Considering the action of the right hon. Gentleman himself, such a complaint came with a very bad grace from him. His (Mr. Ramsay's) Bill would produce uniformity of valuation; that of the right hon. Gentleman would not. The assessments, whether local or Imperial, ought not to be based on the theories of any man, however skilful or competent, but on the basis of facts. He had never heard a complaint in Scotland of the system of assessment, which took the rent paid as the sole criterion of value. On the contrary, the system had given satisfaction to all concerned, and very little trouble to the local authorities or the Department of Inland Revenue. Considering the long delay there had been in bringing this Bill forward, he thought no harm, but much good would result from referring it, along with his own, to a Select Committee. They might then hope to have a uniform system of valuation established.

MR. RODWELL thought it would be a matter for great regret if a Bill which was of such importance, and for which the public had so long anxiously waited, should be rejected. The hon. Member for South Norfolk had urged strong objections against the Bill, but they were surely not insuperable. Were the President of the Local Government Board only to meet those objections, so to speak, half-way, no very great difficulty need be experienced in passing the measure. He admitted that the word "appeal," as used in the Bill, was unfortunate. What was wanted in these cases was uniformity and regularity, The powers of dealing with cases that were given to the assessment committees were entirely different from those vested in a court of law, whose decisions were based upon the rules of evidence. The suggestion he would put forward was one to which effect might be given in the present Bill. A Board might be selected composed of members from each assessment committee, who would then be able to compare the different valuation lists when any difficulty, objection, or appeal arose, and deal with it precisely as the assessment committee did now. He did not see why a body should not be thus constituted somewhat analogous to the Scotch Commissioners of Supply, the decisions of which would give satisfaction. As the Bill could easily be made to contain a provision of that kind, he trusted it would be allowed to go into Committee.

Mr. KNATCHBULL-HUGESSEN expressed his surprise at the sudden prominence given to this Bill, compared with the little respect shown to the County Board Bill, which had been abandoned on the very threshold of Committee. He complained of the manner in which the Treasury Bench had treated the House in the management and conduct of the Bill. He had a right to express his surprise that so important a measure had been set down for Committee at so late a period as the 14th of June, after having been taken through its second reading when discussion of its principle had been impossible. The Government had had ample opportunity of dealing with the whole question relating to county administration, and of deciding which scheme they should take up first. After consideration, they deliberately came to the conclusion that the County Boards Bill should be the first to be considered. That measure passed its second reading, and nearly reached the stage of Committee. Having achieved that much, however, the Government suddenly changed its mind, and withdrew the County Boards Bill, and were now endeavouring, after its second reading had been taken unexpectedly, and in a thin House, to get the Valuation Bill into Committee. Such a course of procedure was not, in his opinion, the best means for expediting Public Business, and against it he desired to enter his protest. They had heard a good deal about obstruction; but there were others, besides private Members, who might obstruct Public Business by the course they pursued. The fact that Her Majesty's Government carried forward two or three Bills, and then unexpectedly proposed to proceed with another measure in their place, was an encouragement to hon. Members who had not had time to consider the Bill to cause practical obstruction, in order to have its principle discussed. The hon. Member for South Norfolk (Mr. Clare Read) had asked the pertinent question whether the Cattle Diseases Bill ought not to be pushed forward rather than the County Boards Bill? and the answer he received was that the Valuation Bill would take precedence of either. But, surely, to carry two or three Bills up to a certain point, and then to drop them for a great length of time, and afterwards to carry on the last of them, was to obstruct Business; and it was certainly obstruction to bring forward, at this period of the Session, a Bill which must be discussed at great length before it could be possibly passed into law. He wanted to know what the real policy of the Government was with respect to these measures in relation to county administration? A County Board Bill had been brought forward which diminished, to some extent, the powers of the magistrates of counties. That Bill was suddenly thrown aside, and here was another Bill which increased these powers.

Mr. SCLATER-BOOTH said, the powers were not increased, but continued.

Mr. KNATCHBULL-HUGESSEN said, that the powers were, if not actually increased, at least stereotyped and strengthened. It appeared to him that, in diminishing the powers of the magistracy, the Government found they had given offence to their quarter-sessions' friends throughout the country. The real truth was, that there had been no actual complaint of the way in which the affairs of the country had been administered by the magistrates; but there had been complaints against the existing system founded upon the principle that representation and taxation ought to go together. What did they really mean to do? He believed the Government had found themselves in this difficulty—that in proposing to deal with this principle of representation, they had offended those from whom they would necessarily take away some power. He trusted they would hear from Her Majesty's Government whether they meant to persevere with the County Boards Bill, or to adopt that kind of County Boards Bill which had been suggested by the hon. and learned Gentleman opposite, who, in fact, desired that, under the mask of the present Bill, a County Board Bill should be carried by means of a clause incorporated with it. But let him (Mr. Knatchbull-Hugessen) call attention to the contrast between the manner in which the late and the present Government dealt with these questions of county government. The late Government, whatever fault might be found with the measure they brought in, came forward with relief in one hand and reform in the other—that was to say, they proposed that the relief should be obtained by means of the reform. But the present Government had first given relief by subsidies from the public purse; and now, by giving an improved system of valuation and other things as improvements, they were practically and gradually taking away the levers by which county reform could be obtained, and striving to weaken the demand for that reform. He would not enter into the details of the Bill before the House, but this he would say—that his right hon. Friend had no reason to complain of the discussion which had occurred, and which he regarded as a valuable one. If the hon. Member for South Norfolk went to a division, he would receive support from that side of the House, not because they desired to delay the Bill, but because they did not like to see one Bill substituted for another. For his part, he did not believe in the permanence of any of these Bills, unless they had a good Governing Body established. He hoped the right hon. Gentleman (Mr. Sclater-Booth) would tell them whether Government were satisfied with the existing powers of the magistracy, and did not believe that a County Board was necessary, or whether they would be content to take that kind of County Board which his hon. and learned Friend (Mr. Rodwell) proposed to engraft upon their Bill. It had been said to-day that actual rent, and not probable letting value, ought to be the basis of a rate. He had to enter his protest against that idea. Rent was an accident; it depended upon an arrangement between man and man, and was an excellent guide for the determination of a rate, but it ought not to be the basis. As to the formation of a County Board, no Board could be satisfactory until the wishes of the country were previously ascertained. If a representative board was wanted, no half-and-half Board would do, bringing the magistrates into *quasi*-antagonism with the elective element; but if the whole Board were elected, then there would be a fairly representative Board. This, however, was a point of far too great importance to be taken on the mere clauses of a Valuation Bill. The Government were trying to weaken the demand for representation in county affairs; but he warned his hon. Friend the Member for South Norfolk that, in supporting the Government subsidies and the Government measures of improving the valuation, he would fail to obtain the representation in counties of which he was so strenuous an advocate. The country would have waited patiently till next year for the Valuation Bill, while had the Highways Bill taken its place and been passed, it would have redressed an admitted grievance. No opportunity had been given for considering the Amendments to this Bill, and looking to the time of the Session at which they had arrived, he thought the right hon. Gentleman would make a graceful concession by referring the Bill to a Select Committee. He certainly would give his vote against the Speaker leaving the Chair.

MR. PELL could not agree with the right hon. Gentleman who had just sat down as to the preferable policy of the late Government upon this question, and the relief from taxation which their measure held out. Under the course pursued by the present Government the ratepayer had obtained material relief, and there was still some promise of reform in administration. However, he thought the conduct of the Government just now savoured of sharp practice, which he could hardly have thought his right hon. Friend would have resorted to. But the County Government Bill had received a second reading, and he supposed they must not cry over spilt milk. He hoped his right hon. Friend would tell them how the Bill had got into its present position. He understood the Chancellor of the Exchequer to state recently, in answer to a question, that, as regarded English measures, preference should be given to the County Government Bill; but, subsequent to that statement, it appeared that there were almost insuperable difficulties in the way of passing the County Government Bill, and that there was a better opportunity of passing the Cattle Bill; it was, therefore, put in the front, and the County Government Bill would be placed behind it. Well, that was a change in the arrangement of the feast, and the House was now asked to eat the side dishes before they had partaken of the joint. How had that come about? The Premier was on the other side of the water, and it was possible that the arrangement of Public Business depended on obedience to that law which regulated the survival of the fittest. He hoped his hon. Friend the Member for South Norfolk would not divide upon his Motion; but if the hon. Member for Falkirk (Mr. Ramsay) should divide, he would go into the Lobby with him, as he thought his Bill was a very good one. He had supported his Bill when it was introduced, and it embodied a very important principle—namely, the adoption of rent as a measure of valuation. A great deal had been said which was complimentary to the action of the assessment committees. For his part, he could not express unqualified satisfaction as to the way in which the assessment committees had discharged their duties. He approved the introduction by the Government of the surveyor of taxes, armed, as he was, with considerable powers. He would be a very useful officer, provided there was something in the Bill to regulate and control him—namely, rent as a measure of valuation. Rent, after all, was the measure of valuation in the Metropolis; and, as far as his experience went in London, the Metropolitan Valuation Act had worked satisfactorily. When occasion had been given for appeals by the assessments being put up, as they were in some districts, it was discovered on inquiry that it was not the surveyor of taxes but members of the assessment committee who had done so. He believed, on the whole, that rent represented as nearly as possible the value of hereditaments. Of course, they could not legislate for exceptions. It was said the assessment of cottages would be raised above the rent, but the truth was that cottages let at a low rent generally implied that the labourer worked for very moderate wages. He received a portion of his earnings in money and another portion in the low rent of his house. Thus, a cottage let to an agricultural labourer who was in the employment of the owner at £4, when occupied by a plate-layer fetched a rent of £7. But even that disparity would be preferable to leaving the assessment committee conjecturally to decide gross value. There was one omission in the Bill which he hoped would be supplied, and that was a provision for the valuation of railway property, which he should like to see dealt with by means of some such proposal as that which was contained in the Scotch Act. It was also desirable to consider whether it was not possible to make the valuation conclusion with regard to franchise, and thereby relieve the revising barrister of a great deal of trouble in matters relating to value that came under his notice. He also hoped the clauses would be withdrawn which empowered courts of special sessions to hear appeals.

The CHANCELLOR OF THE EXCHEQUER said, he did not rise to enter into the question of the merits of the Bill. He merely desired to say a few words as to the position in which it had been placed. The Valuation Bill and the Highways Bill, though not identical in terms, were in principle the same. They had been introduced by the Government in previous Sessions, and had been, to a certain extent, not only discussed, but approved, by the House. At the commencement of the present Session they proposed to undertake a new group of Bills—one for the introduction of a new system of county government, and in connection with it a Highways Bill and a Valuation Bill, adapted to the altered circumstances which would arise if the County Government Bill were passed. They accordingly began by proceeding with the last-named measure; but, of course, they had always intended, and, indeed, considered it essential, that the three Bills should be carried on and passed together. They had shown by the precedence which they had in former years given to the Highways Bill and the Valuation Bill, what importance they attached to those measures in themselves, and they certainly never contemplated that the County Government Bill should override or do away with their passing into law. Well, the County Government Bill had up to a certain point been proceeded with, and had not the course of the discussion upon going into Committee upon it taken an unexpected turn, the Government would have carried out the programme with which they started. But, in consequence of that and the large share of the attention of the House which had been taken up by other Business, they found themselves thrown to a very late period of the Session in the progress which ought to have been made with the County Government Bill. That being the case, they had to consider what would be the proper and most convenient arrangement to make. Time failed them, and they could not but see that the measure involved a great matter for discussion, and questions of considerable importance and novelty which it would take some time to deal with. Then, there was the Cattle Bill, and other measures, pressing for consideration, and the question arose, how far it was possible to get through the whole of the work before them? After carefully considering the matter, he felt bound to say, and believed it was the opinion of those who took an interest in the County Government Bill, that the best way of proceeding, and the best chance for obtaining time for the discussion of the other Bills, especially the Cattle Bill, was to put off the further discussion of the County Government Bill—at all events, for the present; but he stated at the same time that, of course, the Highways and the Valuation Bills, which were part of the original scheme, would be proceeded with. The Government had endeavoured to go upon those lines. The Highways Bill was at once committed *pro formâ*, and certain Amendments were introduced, and they had brought the Valuation Bill forward so as to get a discussion upon the Bill on going into Committee. If they were so fortunate as to advance that stage, they would be able to further proceed with it that Session. He also hoped that yet they would be able to proceed with the Highways Bill, and be also able to make such progress with this Bill as would allow them to proceed with them all, and the Cattle Bill. For himself, if the House supported the Government, he saw not the slightest difficulty in proceeding with them, and being able to discuss them in a satisfactory manner. He hoped, therefore, they would be allowed to get into Committee on the understanding that no clause would be pressed in which any complicated Amendments were proposed. There would be plenty of time for hon. Gentlemen to give Notice of any Amendments which they might wish to bring forward; but it was most desirable that time should not be lost in allowing the Speaker to leave the Chair, and that the House on future occasions should set itself to work to pass a measure which was generally recognized as being of great importance, and which he hoped they would be able to deal with satisfactorily, due allowance being made for the other Business which had to be disposed of.

MR. J. COWEN expressed his concurrence with the view which was taken by the hon. Member for South Norfolk (Mr. Clare Read) with respect to the County Government Bill. There could be no doubt that the entire system of county management stood in need of reformation, and that speedily; but the Bill of the Government dealing with the subject had failed because of its feebleness. For practical purposes, the Bill might be considered dead this Session. Well, then, was it necessary to proceed with the Bill before the House? The right hon. Gentleman said that it was only a tentative measure—a consolidation measure—and that it would not prevent the carrying out of that county government organization which all wished to see established. The hon. Member for South Norfolk thought the Bill was intended for taking money out of the pockets of the people; but it was probably more for the purpose of seeing how much money was in them. Clearly, a Valuation Bill ought to follow a County Government Bill, as dealing with a part of the system of county organization which would be necessary. But then he thought it possible to pass this Bill without preventing that county re-arrangement which was so desisable. The hon. Member for South Leicestershire (Mr. Pell) had objected to the Bill on the ground that it contained no proper provision for the valuation of railways. Neither did it contain any proper provision for the valuation of mines. He objected to one point of the Bill for the way in which it dealt with the overseer—

to his mind a most objectionable parish officer—who was partly elected by the ratepayers and partly appointed by the magistrates. The overseer had very important duties to perform. He prepared the list of voters, and his appointment in the North often gave rise to popular excitement and parochial disputes. These overseers came into existence in the dark days of Tudor rule; and if the right hon. Gentleman could see his way to get rid of these officials, he would do a great public service. He agreed also with what had been said by the hon. Member for South Leicestershire about surveyors of taxes, and he was surprised that greater objection was not made to them. They were very like those farmers of taxes, of which they had heard so much in the East of Europe. Their object was to get the largest possible amount of taxes out of the people; and the reason was that if they could increase the amount of taxes in their districts, they received preferment. It was an objectionable thing to import these men into the management of local affairs.

Mr. FLOYER said, he could not quite agree with the hon. Gentleman who had just spoken, that the overseer ought to disappear from the face of the country. He had great respect for old-established customs and officers who had served their country for a long time, and he was not disposed to accede to the modern view that no service was good unless it was paid for. If there were persons who thought it right to perform public duties without salary, he trusted there was a sufficiently strong opinion in the country to support them. But the hon. Member for Newcastle (Mr. J. Cowen) was a little difficult to please, because he objected to the overseer being appointed by the local authorities. The hon. Gentleman had said that the overseer was first nominated by the ratepayers, and then appointed by the local magistrates. Evidently he was altogether a local officer. The hon. Gentleman objected equally to the surveyor of taxes, because he was appointed by the Government. But if they were to have officers, they must be appointed by somebody; and if they were not to be appointed by the local authorities or by the Government, by whom were they to be appointed? He only hoped that it was not by Parliament. With respect to the Amendment, the hon. Member for South Norfolk (Mr. Clare Read) suggested that, instead of appeals upon questions of value being brought before quarter sessions, they should be referred to the county authority, whatever it might be. The hon. and learned Member for Cambridgeshire (Mr. Rodwell) advocated the same view, on the ground that a County Government Board could deal so well with different matters of principle applied to valuation. But his right hon. Friend would give to the County Board, whenever it might be established, and to the temporary authority that would be appointed by the Bill, precisely the same power that would be given to that body. The hon. Member for South Norfolk wished that the county authority should supersede the quarter sessions altogether. It might be desirable to do so, and to get rid of the appeal to the court of quarter sessions; but if it were, let them see what they were about, and that the county government, when established, should be able to deal with matters of appeal. The hon. and learned Member for Cambridgeshire thought it desirable that the authority to which appeal should be made should be of the same character as the assessment committee, the body from which the appeal was made. But the advantage of the appeal being made to the court of quarter sessions was, that it was a different body and dealt with the question in a different manner. The question was, whether the mode of procedure before the court of quarter sessions was not better calculated to bring out the true value of the different properties than that of a body like the assessment committee? The advantage of quarter sessions consisted not so much in the persons who presided over them as it did in the means at their disposal for getting at the facts and realities of the case. They had the assistance of gentlemen learned in the law, who were accustomed to deal with evidence and to present facts in a clear manner to those with whom the decision rested. The proposed new tribunal would be unable, as a general rule, to have the assistance of gentlemen of the Legal Profession. These were some of the reasons which induced him to think that the House ought to hesitate before it adopted the proposition of his hon. Friend the Member for South Norfolk. One body possessed the means of coming to a good decision, while the other would have to act on its own unassisted knowledge. Therefore, he thought there were grounds for believing that the old tribunal, with its old mode of procedure, might possibly be the best. When his right hon. Friend introduced his first Bill on this subject, the surveyor of taxes occupied a much more powerful position than he did under the present measure. It was formerly proposed that his fiat should be absolute. He objected to this at the time, but he did not think that the power proposed to be given by the present Bill to the surveyor of taxes was in the same sense objectionable. He believed the advice which the surveyor would give to the assessment committee would be of very great value. It was essential to the good working of the assessment committees that they should be the supreme authority, and he understood that would be the effect of the provisions of the present Bill. It was idle to expect that men in the position of the great tenantry of this country, whose occupations were most important to themselves, would take the trouble of working the assessment committees unless they were constituted the controlling authority in such matters. He could not agree with those who looked upon rent as an absolute criterion of value. Of course, he admitted that rent was a most important element in the question; but the criterion was the reasonable amount for which the land would rightly be expected to let one year with another; and he thought that where the sum appeared too high or too low, it should be competent for the assessment committee to adjust the difference. If the hon. Member for South Norfolk took a division, he should be obliged to vote against him. He hoped, however, that the House would be allowed to go into Committee without further delay, and that the Bill would be passed into law during the present Session.

MR. GOSCHEN desired to call attention to the speech of the Chancellor of the Exchequer, and to the general position in which the House stood at that moment with regard to the Bill. The right hon. Gentleman had not attempted to deal with the arguments brought forward by the hon. and learned Member for Carmarthen (Mr. B. T. Williams), or with the main argument urged by the hon. Member for South Norfolk (Mr. Clare Read)—namely, the argument of substance as contrasted with the argument of time. The argument of substance was, that if they were going to create a new Body, either in the next or some future Session, with reference to county government, it was unwise now to pass a Bill imposing new duties upon a Body which would be so shortly superseded. It appeared to him that the hon. Member for South Norfolk had argued this question in a perfectly unanswerable manner; for he had shown conclusively that, with these new duties, such a Body would not carry energy or zest into their work, as they would feel they were made a mere stop-gap, and that their powers would soon be taken away from them by a new Act of Parliament. The Chancellor of the Exchequer had not alluded to that part of the argument at all. The right hon. Gentleman had defended himself simply on the question of time and the order of the Bills. Why had not the right hon Gentleman paid the hon. Member the compliment of dealing with the substance of his argument, or noticed his suggestion to refer the Bill to a Select Committee? Was it that the right hon. Gentleman thought the hon. Member did not mean business, and that this Amendment was placed on the Paper to be afterwards withdrawn? The Amendment embodied a most important proposition; and he, for one, wished to know, whether the hon. Member stood by it to the letter? For his own part, he cordially agreed with both the substance and wording of the Amendment, and he believed that a large number of hon. Members on that side of the House, and a sprinkling of hon. Gentlemen on the other side, shared that opinion. As the hon. Gentleman (Mr. Clare Read) was a serious Member of the House, had he satisfied himself that the Government intended to assent to the Motion of the hon. Member (Mr. Ramsay) for referring the Bill to a Select Committee? He (Mr. Goschen) thought the Amendment ought to be pressed, especially as the Opposition had assisted the hon. Gentleman to carry his Motion as to County Boards. [MR. CLARE READ: There was no division.] The hon. Member said there was no division; but he ought to appreciate all the more that support in debate which enabled him to beat the Government without a division, and saved him from going into the Lobby against them. Whatever the hon. Member might say, he, at any rate, would require the support of that side of the House for his reform of county government; and it was hoped that the hon. Gentleman would not discourage them in giving that support by not standing to his guns when he was in the right. The passing of the Valuation Bill now would be detrimental to the object which the hon. Member had so much at heart with regard to county government. The position was this—the Valuation Bill had been prepared with reference to another Bill that had been withdrawn, and the House had to argue upon this Bill, without knowing whether the other one was to pass or not. The fact was, that the system had broken down. There were three Bills—the County Government, Highways, and Valuation Bills—which, taken together, made a complete whole; but the County Government Bill having been withdrawn, the corner stone of the edifice had been removed; and the House was asked to agree to an arrangement which was incomplete and unsatisfactory, because it was asked to pass the Valuation Bill without the concurrent establishment of County Government Boards.

Sir GEORGE JENKINSON, in supporting the Amendment of the hon. Member for South Norfolk, said, the question to be considered was chiefly as to time, and not as to the merits of the measure. The withdrawal of the County Government Bill left this measure like the play of *Hamlet* with the part of Hamlet omitted. He hoped that the Government would be satisfied with this discussion, and that they would not proceed with the Bill until they could pass the whole group of Bills dealing with local government. With regard to the question of rent, he thought it should be taken as the basis, in order to check the surveyor.

Mr. RITCHIE thought the remarks of the right hon. Gentleman the Member for the City of London (Mr. Goschen) were very unfair towards the Chancellor of the Exchequer, as the right hon. Gentleman had distinctly stated that he rose, not for the purpose of answering any arguments on the subject of the Bill, but merely to answer remarks which had been made as to the course adopted in taking this Bill before some others. He (Mr. Ritchie) regretted that the Bill had been brought forward somewhat suddenly, as he and other hon. Members had wished to put Amendments on the Paper, some of which were of considerable importance. He was sorry that the Bill contained no clause with respect to the rating of machinery, for that subject was, at the present moment, in a very unsatisfactory state. Without going into the question of fixed machinery, there was no doubt that machinery not attached to the freehold was subject to rating in some places and not in others; while, by a recent decision of the High Court of Justice, all machinery, even though it was not fixed, was liable to be rated. If a man were to lay out a part of his capital in the purchase of removable machinery, he could not be said to add to the permanent value of his premises; but, by the decision referred to, he was liable to be assessed, not on rent alone, but on the value of all his machinery. In his opinion, the permanent letting value of the building was the true basis of assessment, and the right hon. Gentleman the President of the Local Government Board should have taken advantage of the Bill to insert some clause settling the existing difficulty in that way.

Mr. SCLATER-BOOTH said, that he could assure hon. Gentlemen who had been taken by surprise that he had no wish to prevent them from putting Amendments on the Paper, and that he did not propose in Committee that day to proceed beyond the 1st clause. His hon. Friend who had just sat down had animadverted on the system of rating machinery, and the hon. Member for Newcastle (Mr. J. Cowen) had made a similar complaint with reference to coal mines. Both those cases were very interesting, but they did not properly belong to the subject dealt with by the Valuation Bill, which merely contained directions by which rateable property was to be assessed, and was not intended to make any change in the mode of rating. He would be very glad, however, to settle the question of the rating of machinery and of coal mines, and of schools also; but such matters would better find their place in a new rating Bill, which he should not be reluctant to introduce if it were possible. He was surprised that the hon. Member for Newcastle should have raised the old cry with regard to the surveyor of taxes, who was only the instrument by which the Property Tax Returns were made known to the assessment committee. The object of the Bill was to oblige all the assessment committees to have regard to that officer, which meant that they were to take account of the rents actually paid; for the rent actually paid was, in nine cases out of ten, the best criterion of value. He knew that in one part of the Kingdom assessment committees had gone almost entirely by the rent actually paid; and, in the case of a large estate worth from £40,000 to £50,000 a-year, the Return specified in the new Domesday Book was within a very few pounds of the actual receipts of the owner. The right hon. Gentleman who had spoken first had mentioned the appeals set up by the Bill. The assessment committee was not a final authority, and the appeal to petty sessions had been retained in the interests of the poorer ratepayers. The Government had not felt themselves justified in taking away the court of appeal which the poor man possessed, and to which he now resorted for a remedy against any undue assessment. His right hon. Friend could hardly have studied the clauses in the Bill, because it was never intended, nor was it provided that the County Board should act as a court of appeal against the assessment of value. The assessment committees were, for the most part, to be paramount in those matters. Every hon. Gentleman who had served as a commissioner of taxes knew how frequently a case was taken for the opinion of the Commissioners of Inland Revenue. There was a provision in the Bill to enable questions of importance, relating, for example, to railway and canal property, to be taken in a similar way to the High Court of Justice, assuming that the parties who were interested preferred doing that to going to the court of quarter sessions. He hoped that his hon. Friend the Member for South Norfolk would dismiss from his mind the idea that there was anything in the Bill which stood practically in the way of the setting up of a County Board. The County Board would be set up for a totally different object, and he had repeatedly stated that he had always regarded a Valuation Bill as the foundation of all those county reforms. If the County Government Bill were to pass without the Valuation Bill and the Highways Bill, the most important *raison d'être* of the County Government Bill would be entirely done away with. He denied that the officers of the Government had any interest in screwing up assessments, and he believed, so far from being multiplied by the Bill, appeals would be greatly diminished under it. As a matter of fact, appeals were rare now, and he hoped that they would be still more rare when those measures became law. The hon. and learned Member for Cambridgeshire (Mr. Rodwell) had given Notice that he would propose certain Admendments in the Bill. Those Amendments he would have pleasure in considering. He had always held the opinion that valuation, although important, was not a primary function of a County Board. The County Board had a great future before it, and a Valuation Bill was the foundation on which the machinery of county government should be built. He had been surprised at the charge of shap practice which had been brought against him in regard to the second reading of the Bill, and he contended that such an accusation was wholly groundless. The ratepayers would never have the same interest in the proceedings of the County Board as they had in those of the Poor Law Union, because the latter was intrusted with the expenditure of rates to a far greater extent than the former, and with the more detailed management of their local affairs. He would mention three counties as illustrations of that. In Nothumberland the county expenditure was £40,000 in round numbers, and the Union expenditure was £170,000 a-year; in Staffordshire the county expenditure was £102,000, and the Union expenditure £330,000 a-year; in the county which he had the honour to represent the county expenditure was £30,000, and the Union expenditure £316,000 a-year. That would account for his not having regarded valuation as one of the most prominent functions which a County Board would have to discharge. He would not detain the House further, but ask them to go into Committee.

Mr. CLARE READ was proceeding to make some observations in reply, when——

Mr. SPEAKER informed the hon. Gentleman that he had no right of reply upon an Amendment.

Mr. CLARE READ said, he would only remark that he was quite satisfied with the position which the question of County Boards occupied, having been unanimously passed last year; and as the Motion of the hon. and learned Member for Cambridgeshire (Mr. Rodwell) would give him all the opportunities he desired in Committee, he should beg, with the consent of the House, to withdraw his Amendment.

Mr. BIGGAR thought good reasons had been given why the Bill should not be proceeded further with, at any rate this Session. In order to place before the House his own reasons for forming this opinion, he would move the adjournment of the debate. The Bill and the Amendments which it might be desirable to discuss could not now be properly considered.

And it being ten minutes before Seven of the clock, the Debate stood adjourned till *this day*.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE GALTEE ESTATE.

MOTION FOR A SELECT COMMITTEE.

Mr. GRAY, in rising to move—

> "That a Select Committee be appointed to inquire into and report upon the statements as to the treatment and condition of the tenants on the estate known as the 'Galtee Estate,' in the counties of Cork and Tipperary, which were made in the evidence given during the second trial of John Sarsfield Casey in the Court of Queen's Bench in Dublin,"

said, the trial in question took place in November last, in the Court of Queen's Bench, Dublin, and was for a criminal information against Mr. Casey for an alleged criminal libel in connection with certain letters commenting upon Mr. Bridge's administration of the Galtee Estates as agent for Mr. Nathaniel Buckley. There were also certain important disclosures made in a preliminary application for an order to make absolute a conditional order for that criminal information. The Motion he brought before the House had nothing directly to do with the libel itself. He merely proposed that an investigation should be made into the circumstances disclosed incidentally at the trial. He might mention, however, that Mr. Casey was acquitted of the charge brought against him in the first counts of the indictment — namely, that he incited to, or attempted to justify, murder — and he trusted that that fact would be remembered in any discussion which might arise. Further, he might mention that on the counts charging Mr. Casey with alleging cruelty and oppressive raising of rents against Mr. Bridge, the jury failed to come to a verdict; but it was alleged that they were 11 to 1 for acquitting him. In asking the House to appoint a Committee of Inquiry, he thought he was bound to show—first, the importance of the subject itself; and, secondly, that no relief could be given to the aggrieved parties except by the method proposed. Both these points, he believed, he should be able to establish. The case—to deal with the first point—concerned the lives and well-being of some hundreds of individuals, and excited the greatest interest, not merely throughout Ireland, but in every portion of the world where the English language was spoken. Very large sums, moreover, were subscribed in order to secure for Mr. Casey a fair trial, because it was felt in Ireland that the case would be an exposure of the entire land system under which the Irish tenantry suffered. So much for the first point to which he had alluded. Passing to the second, he hoped to be able to show that no adequate remedy could be afforded to the unfortunate tenants concerned except by the machinery of a Select Committee of that House. To come now to the immediate question, he did not think he could better describe the estates than in the words of Judge Barry, in his judgment on the question of a provisional order for a criminal information against Casey. The learned Judge said—

> "The portion of this district more particularly referred to in this case is described in the affidavits as of the wildest and most barren character, some of the holdings situate at a vast elevation, the soil in its natural condition covered with heath and stone, and only rendered productive of miserable crops by the most unremitting toil, involving in some cases the carrying by the tenants and their families of manure upon their backs to places inaccessible to any other means of carriage. It is sworn that if there be any remission of this laborious cultivation, the soil immediately reverts to its primitive sterility. It appears on the affidavits that a number of the tenants were in very poor circumstances, living in wretched cabins and able to afford only the meanest food and clothing; that many of them were in debt for the necessaries of life; that they were as a body most industrious; and that it was only by unceasing toil on the farms, and the wages earned by themselves or members of their families from the neighbouring farmers, that they were able to subsist and pay the former rents of their holdings. This class of tenantry was suffered by the Kingston family to make the best living they could out of this sterile district, paying rents in ~~some~~ cases nominal, in all cases very small. Unless tilled by such a class, the land was absolutely worthless. But the evil day came. The old lords of the soil became embarrassed; possibly, if they were made of sterner and it may be wiser stuff, of the material that would make the widow pay £1 instead of 5*s*., they might still have held the estates. But they got into Chancery, and a receiver was appointed, who, watched, it would seem, by jealous creditors, managed the estate till 1852, when the lands were sold in the Landed Estates Court. On the eve of the sale expressions of kindly feeling passed between this receiver, a Mr. Massey, and the tenants."

In reply to an address from the tenantry, Mr. Massey thus wrote—

> "Many a sleepless night have I had thinking on the sad scenes which the necessities of my position and the watchfulness of a most hostile party compelled me to enact. The performance of such a painful duty was, however, rendered less disagreeable by the patience, order, and excellent conduct of the tenantry—conduct which, for the twenty years I am engaged in the management of landed property, I have never seen equalled elsewhere, and which, under their privations, I consider to be almost miraculous. . . . . I have ever found Lord Kingston most anxious to assist the wishes of the needy. . . . . It is to be supposed that the passing of the estates into new hands is not far distant when my connection with you will be severed. Yet I trust it will be for the benefit of the tenantry, and that the new owners will treat them with the forbearance and generosity to which they are so well entitled by their honesty and excellent conduct."

The land sold by the Landed Estates Court was bought by the Irish Land Company, of whom, at that time, the late John Sadleir was the managing spirit. Mr. Bridge became agent to that Company in 1869; but, while the Company held the estates, no ill-feeling between him and the tenantry was manifested. A small increase of rent in certain cases was exacted, but that was generally owing to an outlay by the Company itself on the land. But he never recommended to the Company, or attempted himself, to enforce any general increase. Indeed, it would have been unjust to do so; for it was to be borne in mind that, although land in general had increased in value within the last quarter of a century, the value of these mountain holdings had not increased. For one thing, wood had disappeared; in the next place, turf was more difficult to procure; and, thirdly, more manual labour was required than previously. The fact that these mountain holdings had not shared in the general prosperity of Ireland was shown by this—that on adjoining property, held by such landlords as Lord Lismore and Captain Massey, the increase put on re-valuation a little time ago was very small indeed. On the Galtee estates, on the contrary, the increase was enormous, of which, however, more anon. In 1873, Mr. Buckley, who was at one time a Member of that House, and who was a director of the Company, purchased this property from the Company—that was to say, from his co-directors and himself. What price he paid for it did not appear, as he had declined to give evidence at the trial; but it had been asserted, and never denied, that it was such as to afford him on the old rents an income of 8 per cent on his investment, whereas in England, as the House was aware, land rarely or never brought more than 3½ or 4 per cent. At the trial, the word "fraud" was used in connection with this purchase; but he believed Mr. Buckley acquired the land at its full value, and that it was only by the extraordinary means he adopted afterwards that its value was unduly enhanced. Mr. Bridge, as he had stated, became agent for the property in 1869; and, as he himself testified, he never gave a hint to the Company on the subject of raising rents, When Mr. Buckley became proprietor of the land, however, he ordered it to be re-valued. Mr. Bridge had been held by the public to be responsible for the natural consequences of that re-valuation; but some injustice had been done him in that respect, inasmuch as it was clear from the evidence that he acted merely as the servant of Mr. Buckley. Interrogated by Mr. Butt—

> "You swear that Mr. Buckley, your employer, knew that the old improvements had been made by the tenants and their predecessors?"

Mr. Bridge replied—

> "I have no doubt whatever of it. And knowing that," continued Mr. Butt, "he ordered these old improvements to be re-valued?—Most certainly, and most justly,"

was the reply. This estate presented a feature not very peculiar in Ireland, but seldom seen in England—namely, that not a single improvement of any kind whatever had been effected by the landlord, such improvements as were made being solely the work of the tenants. What was the testimony of Mr. Bridge himself?

> "Was not everything that was done on that mountain the work of tenants?—I suppose so. Don't you believe it?—I suppose so."

Again, one of the tenants in examination said, amongst other things, this—

> "All the help we ever got from Mr. Bridge was to have me fined £4 for cutting a barth of heath on the mountain to put a coat of thatch on the roof."

In a subsequent conversation with Mr. Bridge, reported in the public papers and not contracdited, the same witness said—

> "And by the same token," sir, says I, "there are two of the ould rafters split across, and I'd be thankful to you for couples to keep 'em from killing myself and the childer in the bed.—Why, then, I don't know how you have the face of asking for rafters—how innocent you are!" said Mr. Bridge. Said he, "How nice your neighbours would look, if I charged them for the timber and gave it for nothing to you; and, indeed," added the tenant, "it would be a rare story."

Thomas Hyland, of Skeheenarinka, one of the tenants, swore an affidavit, in which he said—

> "I hold a farm nearly at the top of the mountain from Nathaniel Buckley, Esq., consisting of about 40 acres plantation measure, at the rent of £5 sterling. Mr. Bridge says I must pay £10 10*s*. My farm when I got it was without a house or a home or a ditch, all covered with heath and not one foot of it tilled—all was wild and bleak as a mountain left to nature."

Michael Regan similarly deposed that he held 47 acres of rocky mountain at Skeheenarinka, and that when he first remembered it it was only grassy heath.

> "Who reclaimed it?" he was asked. "My father and me," he replied, "and a brother of mine, with other helps we got. Did you get any help from the landlord?—No. What did you do with it to make it fit for use?—Dug it with spades and crowbars, and blasted the rocks, many of which were buried. How many years were you working before you got it reclaimed?—We did it by degrees—a little each year. What food have you?—Potatoes, stirabout, and bread—everything next to hand that I can get. What rent did you pay on the land before the rise?—£5 9*s*. 6*d*. That was a fair rent. It has been raised to £15 16*s*. 6*d*. at one jump. Did you agree to pay that rent?—No, I could not pay it. If I left the farm, I have nowhere to go."

That was the testimony of all those unfortunate tenants. If they left their farms, they had nowhere to go. Patrick Kearney, speaking of his holding, said—

> "When I remember it first it was a black mountainy land, the same as the top of the Galtees—nothing but stone, and heath, and bogs. My father and myself were many a year rooting at it and reclaiming it."

James Phelan, of Glenacunnah, swore—

> "When he first got his farm it was barren mountain; there was not a house nor a ditch, nor nothing but mountain there; he had set about reclaiming it. Who helped you to reclaim it?—God Almighty and myself, and my poor old father, and he did not live long after. (Laughter). I have worked at it for 50 years."

Denis Murphy was asked—

> "Did you get any assistance from the landlord?—No, no more than you did. Or from the company? Ah! nonsense; no more than we got from God and our own industry."

Edmond Darney, of Coolegarranroe, swore—

> "That my old rent was £2 6*s*.; the new rent is £4 6*s*. I must live on Indian meal the greater part of the year, and must buy that on credit. I reclaimed the lands, and was reclaiming it every year. Three of my children had to go to hospital, and my wife died there. I must keep goats to give a supply of food to my children when sick; I get medical Poor Law relief."

Terence Murphy, of Caghergall, swore—

> "That I am tenant of a small farm containing about 13½ acres on the estate of Nathaniel Buckley, Esq. The said farm is situate near the summit of the Galtee Mountain, and was reclaimed from the barren heath by my grandfather, my father, and myself. It is a very poor farm; only the worst kind of potatoes can be grown upon it. I have to rent a garden

nearly every year on the farms of strangers to grow sufficient food for myself and family; when I sow oats, I must reap it while it is green, as the ear never fills or ripens, and it is only fit for feeding cattle. It will grow a kind of hay; I have to take meadow on other lands to feed my cows."

It was not alone the tenants that testified to the absence of any improvements by the landlord. Mr. D. J. Reardon, of Raffan, County Cork, a highly respectable and independent witness, being asked—"I suppose you did not see any landlord's improvements on the estate?" replied—

"No, indeed, they have not a road to approach even to-day; nothing but an impassable cut through the mountain."

Mr. James Byrne, J.P., County Cork, also said—

"We came by what I suppose we should call a road, but it was only the bed of the mountain torrent, and there were very large rocks down along it. I wonder how any animals could draw up an empty cart there, much less a load of any kind."

These witnesses, who were experts, swore, that to reclaim these holdings in the ordinary way would have cost from £20 to £30 an acre, and then their letting value would be only *5s.* or *6s.* a-year. In fact, it was only by the ceaseless toil of the tenants carrying manure and even soil on their backs up the mountains that the lands were ever made productive, even to the degree they now were. He mentioned these facts, because it was difficult for English landlords to conceive an estate in such a condition as Mr. Buckley's was. Chief Justice May, who certainly could not be accused of bias towards the tenantry, took the liberty of suggesting to this English millionaire that he should avail himself of the machinery of the Board of Works for borrowing money on easy terms in order to make some improvements; but whether the suggestion had been acted on he was not in a position to say. Now, as to the actual condition of the tenancies at the time Mr. Buckley got possession of the estate. He would quote principally from the evidence given at the trial, and from the affidavits of the tenants, as he thought it better to put unquestionable testimony of this kind before the House, than attempt any paraphrase of it himself. The only other source from which he would quote was from letters written by a special correspondent who visited the estate shortly after the trial—saw and conversed with the tenants, and published the facts which were never questioned. Richard Condon, examined by Mr. O'Brien, Q.C.—

"I am one of the tenants on Barnahown. Are the tenants very fat there?—(Gloomily) It is easy for them. Remember when my father took my farm there could not be worse to be found, all rocks of stones and heath. I remember when the Board of Works were carrying on the relief works during the famine times. I supplied them with over 500 loads, all taken off three-quarters of an acre. I reclaimed it by rooting out the heath and stones, and bringing manure from far away. My rent was increased from 14*s.* to £1 18*s.* I agreed to pay it, because I was in dread he would turn me out of it—that is the reason. I have not paid it out of my own money, but have to borrow it and pay interest on it."

Mr. Daniel Joseph Reardon, of Raffan, County Cork, examined by Mr. Butt, Q.C.—

"As to the general character of the land, say what it appeared to you to be?—A pure mountain, almost worthless in my estimation for any agricultural purposes, without expending an immense lot of money on it. Did you observe the character of the houses of the people?—I did; they were the most miserable holdings I ever saw. They were hardly fit to call them even hovels itself. I saw some built of mud, but whether built of mud or stone they were of the same bad character."

Mr. Matthew O'Flaherty, Donaman Castle, County Limerick, swore—

"I protest to God, I would not give 20 acres of my own land for the whole of Barnahoun."

Mr. O'Flaherty was examined as to the farm of Laurence Carroll—

"Now, as to Laurence Carroll?—I went into that house. He has five children. Himself and his son work for Mr. Bridge, and there was not a worse house in Skeheenarinka than that. Was that house fit for human habitation?—No. Was it fit for the habitation of a beast?—It was not. You would not put a beast in it. A cow would be just as well off outside."

In fact, he said, the bailiff was the only well-fed man on the estate that he saw. Mr. James Byrne, J.P., County Cork, President of the Mallan Farmers' Club, said—

"I went inside the house of a man named David Hennessy, whose old rent was £2 10*s.*, and the new one £4 5*s.* I saw his little dairy was in his wretched bedroom. What kind was the house altogether?—A tumble-down looking affair. In the house of John Carey, at Lyrafinne, we found a great many children. We were afraid to enter it lest it would tumble down on us, there were so many props under it, the wall hanging out, ready to burst out. The Lord Chief Justice: But it did not?—Witness: We did not delay there very long to give it time. (Laughter)."

That witticism of the Lord Chief Justice created great laughter in Court. He (Mr. Gray) did not see cause for the laughter, nor did he think the House would, when he read them the description published by the correspondent he had mentioned of the present condition of that holding. Here it was, written a few days after the great joke of the Lord Chief Justice—

"A little way off, within a sort of shelter-trench from the storm, formed of huge stone ramparts, built out of the plenteous rockeries on the farm, stood the cabin of John Carey, of Lyrefunn—stood, for it has already half tumbled about the ears of its inmates. Misery seems here to have reached its acme. The walls that remain have bulged threateningly out. Half the roof blew down one night in the storm, the day after Lord Chief Justice May had intimated that there did not seem to be much danger of it. Six children and the mother were cooped up in bed when they heard the rafters crack, and fled for their lives. In the dismantled part of the cabin the sorry little dresser and broken chair which formed the principal furniture of the demolished chamber stand still under the open heaven rotting in the rain. . . . . He went to Mr. Bridge on his return, and begged for five couples to restore the roof. The answer was that Mr. Bridge was not planting, not cutting timber, and that if he got it he should pay for it. Said Carey, 'I have eight in family, no money, and no crops, trying to feed the children.' The argument did not prevail. . . . . His rent for some twelve Irish acres was raised from £1 5*s*. 4*d*. to £2 2*s*. 'I agreed to pay it like the rest, of course, fearing to be thrown out. I will owe two years' rent in March next, and nothing to pay it.'"

Mr. Byrne was asked—

"Did you examine the holding of a man called Timothy Cullenan?—I did; his old rent was £5 13*s*., his new rent £7. On that land I saw the most extraordinary specimen of reclamation I ever saw in my whole life, and the most expensive. A portion of a small field was literally covered with stones 1½ feet in depth. He had been six weeks in grubbing that field, himself and two labourers, and I could only see a rood reclaimed."

He said you could take several hundred tons off each acre of Patrick Creagh's holding, and added—

"I never saw such distress, and poverty, and squalor, in all my life as I saw on the estate. Generally, now, on that townland did you make any remark about the general appearance of the people living on it?—They seemed to be a very broken-hearted people. I heard nothing there but wails and lamentations."

Hon. Members might wonder how it was possible for these wretched tenants to pay any rent at all. In truth, many of them could never pay rent if they were wholly dependent on their farms; but the evidence showed by what means they eked out the rent which was now doubled and trebled upon them. John Duggan was examined, and stated—

"That his old rent was £2 11*s*. 8*d*., and the new rent was £6 1*s*. 6*d*. Could not pay the old rent, only for a brother of his that was in a foreign country. Only for that they would not be there to-day. Always had to earn his hire outside the farm until within the last two years, when the brother helped him. Was 7½ years in service on a neighbouring farm, and gave the wages to his father and mother. Drew timber from Galtee Castle to Fermoy at 6*s*. a-ton. Indian meal stirabout and potatoes were the ordinary food of his family."

James Hennessy, examined by Mr. O'Brien, said—

"I live at Ballyladers, and I farm about 60 plantation acres. I am a guardian of the Mitchelstown union. On June, 1876, I went through some of the lands. The general condition of the tenantry appeared wretched, and the lands were bad. In the previous April I took a daughter in service from Denis Murphy. His condition was miserable, and so was hers too. She had not sufficient clothing to go anywhere. I had to advance him £1 in Mitchelstown soon after to buy meal."

He (Mr. Gray) would not weary the House by further evidence as to the condition of these tenants, although he could produce it in abundance. What course did Mr. Buckley, or Mr. Bridge on his behalf, take? They found a valuator, a Mr. Walker, to value the lands—a gentleman totally unacquainted with the property, and who went there in the height of summer, when everything looked its best. He inspected the lands in the months of July, August, and September. Mr. Bridge himself admitted that it would have been madness to have brought Mr. Walker there in winter, as the lands would then have been little better than a bog. Mr. Walker was not instructed to take into consideration the improvements effected by the tenants and their forefathers. Mr. Bridge said he was instructed to value on the "live and let live" principle, and not to take into consideration modern improvements. Mr. Walker said he was not to estimate the improvements made within the previous five years; but it was acknowledged that all the improvements of over five years' standing were valued, and he (Mr. Gray) held that it was demonstrated at the trial that the holdings were valued just as they stood. Mr. Bridge had had experience before of "settling" estates. He swore that he had been employed by Sadleir years ago to settle the Goold estates, and was examined as to how he did it—

> "What did you do to put the Goold estate in order?—In the first place, sending the sheriff home about his business; and, in the second place, giving the tenants time to pay whatever arrears were due; and I treated them kindly, as I always do."

That was how he settled the Goold estates, according to his own testimony; but it was not the way he "settled" the Galtee estate. He (Mr. Gray) would not trouble the House with the long list of 68 re-valuations he held in his hand, but would read a few specimens of the re-valuation on the "live and let live" principle:—Patrick Macnamara—old rent, £3 6*s*. 0*d*.; new rent, £17 10*s*. 2*d*.; John M'Namara—old rent, £5 18*s*. 0*d*.; new rent, £13 12*s*. 0*d*.; James M'Guire—old rent, £3 6*s*. 8*d*.; new rent, £10 5*s*. 0*d*.; James M'Grath—old rent, £0 5*s*. 0*d*.; new rent, £3 0*s*. 0*d*.; Connor Lyons—old rent, 2*s*. 6*d*.; new rent, £1 0*s*. 0*d*. On one townland the increase was over 100 per cent, and the hardest and most pitiable portion of this most pitiable case was, that upon the poorest and most helpless class of tenants the increase was chiefly cast. Twenty-one tenants, whose old rent in the aggregate was £22 9*s*. 10*d*., were made to pay £62 16*s*. 6*d*., or an increase of 300 per cent. Taking all the tenancies set out in the alleged libels—68 or 69—the former rent of the whole was £341; the new rent, £742. The lands of Carregeen were £95—they were increased to £205. Some tenancies were increased 500 per cent, and one 1,200 per cent at a single valuation. That was done on what Mr. Bridge and Mr. Buckley called the "live and let live principle." Shortly afterwards, Mr. Bridge issued to the tenants a circular, informing them that the increase was to date from the 25th March following. Now, that was an illegal proceeding, the earliest date at which the increase could legally be made being the month of November following. The following was a specimen of that illegal notice:—

> "James Maguire, I beg to inform you that the rent of your farm on Carrigeen, now £3 8*s*., will be £10 5*s*. a-year from the 25th March next, of which you will be allowed half the county cess when paying the rent."

And it was followed by this—

> "Estate of Nathaniel Buckley.—The tenants are hereby noticed that it will be necessary for them to signify to the agent, during the month of November, whether they will submit to Mr. Walker's valuation, and enter into new arrangements with their landlord, &c."

Mr. Bridge was asked—

> "How many of those notices did you issue?—I suppose I posted a dozen or half-a-hundred of them. Will you swear that you did not send more of them?—Begad, it might be 200 for all I know."

He (Mr. Gray) thought Mr. Bridge neither knew nor cared how many of them he issued. He would ask the House to listen to what Judge Barry, one of the most eminent Judges on the Bench, said with reference to these notices—

> "But what was the course adopted upon this estate in the Galtees? The purchase is made in 1873; a stranger unknown to the tenants, of whose integrity or skill they know nothing, is brought down in July; he completes his valuation in November; and in January, 1874, printed notices are sent to the tenants, informing them that their rent is to be so-and-so—specifying the amount fixed by Mr. Walker—from the 25th March then next. I have professionally and judicially come in contact with many cases of controversy between landlord and tenant; I have seen and heard the usual charges and counter-charges of harshness on the one hand and dishonesty and unreasonableness on the other, sometimes proved and sometimes disproved; but such a demand by agent or landlord as that made by these notices under such circumstances never fell within my observation. The demand was wholly unenforceable in law, and, so far as I can see on the facts before us, indefensible as a matter of dealing between man and man. In point of law, the landlord could no more enforce the advanced rent from the 25th March than he could enforce its payment retrospectively for the antecedent 10 years, the tenants were entitled by law to hold at the old rent until the end of the year, and the service of these notices must therefore be regarded as an attempt, and so far as I can see, an unjustifiable attempt, to exact, through the terror of apprehended eviction, that increase on the coming half-year which he could not obtain by any legal process. It does not appear whether many of the tenants yielded to this demand; but in October another notice is posted. I shall not comment upon the pregnant significance of the word 'submit' in this document; but every tenant who did not submit was, so far as I can gather, served with

> notice to quit. It appears that about 100 notices to quit were served."

Well, what could these poor ignorant tenants do but submit? Most of them did submit. They were powerless, in fact. It might be argued that the fact of their submitting to the increase showed that they were content; the fact was far otherwise. What was the result of the submission of the tenants to the great increase of the rents? They had to pawn even portions of their clothes in order to meet the demands made upon them, and they subsisted on the commonest food—yellow meal porridge, and even turnips. Even at the risk of wearying the House, he must ask them to listen to the testimony as to the condition of the tenantry since they submitted. He knew it would be stated that all the tenants had now submitted, and that the whole matter was settled, and that inquiry would only disturb the happy relations now subsisting between a beneficent landlord and a happy and contented tenantry. But he (Mr. Gray) contended that the tenants submitted under compulsion, and that the law should protect them, as it protected other helpless persons driven to make unreasonable concessions under compulsion. Listen to the evidence of Dennis Murphy—

> "What rent is he asking from you?—£6 15*s.*, double £3 7*s.* 6*d.* . . . When this rent was doubled upon me I knew the result, and I pawned my body coat, a frieze coat, my Lord, in order to be up to the rent, and there it went from that day until this from me, in the year 1874, and I never saw it since. (Laughter.) You have never been able since to get your coat out of pawn?—No, sir; because when the terms fixed by the pawn-office was passed it was sold. Was it to pay the increased rent that you pawned your coat?—It was just as I told you; I am on my oath. Since you agreed to pay that increased rent have you yourself had sufficient food?—Upon my oath, I had nothing but Indian meal stirabout, and I would be very glad to subsist upon Swedish turnips, but it was never decreed by Almighty God a human creature should subsist on it. After eating a bellyful of it I would not be able to go 10 perches through weakness. Were you going to America yourself at the time?—No, nor I won't to-day. I would sooner die where I am to-day. If I had the courage of a man, it would be better for me; but now, when I am worn down, let me sink or swim; I have no chance now, while God leaves me the life."

Darby Naish, of Skeheenarinka, said—

> "I am 70 years of age. The old rent was 10*s.* When the Walker (laughter) went out and he saw a little field, I whispered him to lower my rent. 'Oh,' said he, 'that's out of the question, but it will only be a few shillings;' that is what the Walker said. (Laughter.) I got my memorandum then, £1 15*s.*, at which I trembled. (Laughter.) My father made the field out of the mountains, and the Kingstons never asked a half-penny during generations. My father broke his heart reclaiming it, nothing but wild rocky stones. Sure I should agree with the £1 15*s.* sooner than throw me out or put me into the poor-house. I have three boys, and my wife, and myself. Besides working at the land, I am a poor carpenter, making chairs and stools. My father built the house. Yellow meal and stirabout is my ordinary food. I don't know how much I owe. My wife died in the workhouse a year after I had been there. I live at Coolaganaure. £2 6*s.* a-year was the old rent; £4 6*s.* is the new rent. O'Loghlen, the bailiff, came to me at different times, and I went to Mr. Bridge by his orders. I offered him the land for something that would enable me to keep up my family for a little while after I came out of hospital, and he offered me nothing. I paid the new rent, for I had nowhere to go unless back to the workhouse. I had to borrow the money from the neighbours and to sell the only little cow I had for less than £10 to pay it."

The rent of James Lynch was raised from £1 17*s.* 6*d.* to £3 7*s.*, and he was asked—

> "Is it a fact that Mr. Bridge decreed you for the costs of the lease and amount?—He did, sir. (Laughter.)"

He (Mr. Gray) saw no cause for laughter here, but the fact showed the condition of the tenantry. There was the testimony of the correspondent he had mentioned as to another of these tenants—

> "At the other side of the borheen lives one of the 'settled' tenants, the most wretched I had met yet. This is the woman, Johanna Fitzgerald, whose husband has gone to England as a labourer to earn bread for her four children. Mrs. Fitzgerald had not been seen at the chapel that morning, but her bare feet and coarse petticoat made a pretty eloquent apology. The children, who played about the door, had clean faces and clean rags, and the earthen floor was newly swept. A mess of Indian meal was in the pot for dinner. The family, of course, slept in one room; and a man and wife, who are lodged in consideration of help on the farm, stretched by night on the floor inside the doorway. Except a few blue plates, the dresser was only stocked with marmalade pots, whose contents were never emptied on the Galtees. Mrs. Fitzgerald said she had not heard from her husband these five weeks, and a shilling was all the money she had in the world. Her rent was raised from £2 10*s.* 4*d.* to £4 4*s.* Her stock of potatoes was out this month past, 'except a handful of seed,' and from this to August yellow stirabout must be bought on credit. Her other tillage was half-an-acre of oats, which cost her £1 for seed, 7*s.* for labour, and 10*s.* for a cwt. of superphosphate—which she had not paid for yet. The whole crop was sold to James Fitzgerald, a neighbour, for £2, straw and all. Two

geese and some hens made the total of her live stock. It was pitiful to see the open-mouthed surprise with which a woman, supposed to be the mistress of some 20 acres, gloated over the couple of pieces of small silver given to the children, the eagerness with which she pounced upon them, and the extravagant thanks with which she repaid them."

And, with a quaint pathos which he thought might touch the heart of any man, her neighbour, Darby Mahoney, added—

"Sure, we would not mind if they let us alone; but we have no sort of spirit to root a stone or put on a bit of thatch owing to this man always promising to turn us out."

This was the condition of the Widow Roche, another "settled" tenant—

"The family sleep in two straw beds in a suffocating little apartment, some 7 feet by 10, and the rain pours through the thatch within a few inches of the head of the bed in which a withered little old man, Mrs. Roche's father-in-law, lay for three months this year with swellings and pains in the bones. How a sanitary officer could permit a man ill of rheumatism to linger in such a den I cannot imagine. Yet Mrs. Roche states that her husband lay sick here for a year and a-half, and died of dropsy and rheumatic pains. Dr. Fenton, indeed, who visited him on a dispensary red ticket, advised him not to stay in a wet house but to go to the workhouse, where he would have nourishment. He did for a time go into Clogheen workhouse hospital, where he was told that if he had come six months earlier he would have been cured. He returned, however, to the cabin to die. So said Mrs. Roche, and she informed me that her rent had been raised from 18*s*. to £2 4*s*., and that her husband had accepted the terms from the commencement. 'Sure only the mercy of God I don't know where 'tis to come from.' "

"We never will be able to pay it nor to pay what's due," said Mrs. Murphy. "We had 6lb. of pork yesterday for our Christmas dinner among 12. 'Twas the poorest Christmas day we ever had, striving to pay everybody his dues, and sure it's equal if we're there at all next Christmas."

"We would not keep it at all," said Mrs. Shaughnessy, "only about two years ago a boy of ours went out to New Zealand on the cheap emigration, with only 21*s*. in his pocket when he landed, and he was not landed two months when he sent us home £9, and he always told us never to give up the old place while there was a roof over it."

This was what Phelan, another "settled" tenant, said—

"We must sell the little cow for meal, and after eating her out we must sell the other one. After that we have only to trust to Providence. Sure only for the confidence the people have in our honesty they would not trust us with a cow nor a sheep."

"And, having seen the little cows," adds the correspondent, "which were more warmly housed in the outhouse than their Christian masters next door, I am disposed to think they will not long stave off the trust in Providence.

"Upon another night," says the correspondent, "I had an opportunity of seeing several other tenants whose holdings are seated amidst the stony heaths behind Phelan's. One of the houses struck me particularly by its neatness. It was that of Timothy Drislane; it was newly whitewashed for the holidays, scrupulously clean within, furnished with several handy, though cheap, little appliances that I had seen nowhere else, the children fairly dressed for peasant children, and the woman of the house clad with something like comfort. Drislane's rent was raised from £2 to £3 7*s*. 6*d*., and he accepted the increase from the beginning. Here, surely, was a case where the increase had brought no misery! But the explanation soon came. 'Ever since he paid it,' said this exceedingly quiet and respectable housewife, 'we have been falling deeper and deeper into debt every year. His means would not pay quarter of his debts this moment. We would not be able to live at all upon this unfortunate place only he goes out and earns himself here and there as a handyman, as you may see by his little jobs about the house.' And another tenant related how Phelan and himself would start at 1 o'clock in the night for Clogheen and sleep in a hayrick, to get a day's employment at harvest work, and would tramp it home the same night with a half-crown each in their pockets."

"We halted," says the correspondent, "at the farmhouse of James Lynch—dingy and scantily thatched as usual—and held conference with his busy and active-minded wife. There was evergreen stuck over the dresser—the only Christmas emblem I have yet met upon the estate. A penny print of Father Tom Burke had an honoured place on the wall; the rain came down quite near his reverence's head. Now, Lynch's rent was raised from £1 18*s*. 6*d*. to £3 7*s*. 3*d*., and he has taken a 31 years' lease at the increased rent. 'What in the world ever possessed him to do such a thing?' cried his wife, who was very poorly dressed. 'And there he is now,' she added bitterly, 'with his 31 years' lease, and he owes him a year's rent already with the hanging gale—that will be two years' rent in March. We were finding ourselves getting into debt with the old rent, and only God is good I don't know in the world how we are going to manage. You know, yourself, doctor,' turning to my very reverend companion, 'I had often to put the children in off the road for fear they would be seen.' "

Patrick Creagh is another of those who took a 31 years' lease—

" 'What was a man to do when every person was settling, and no way out of it but the poorhouse?'—his rent having been raised from £2 19*s*. to £3 7*s*. 6*d*. He paid two guineas for the expense of the lease, and has three acres and a-half arable acres, which himself and his father have broken with crowbars, drained, manured, and fenced. The result is that he is already a year's rent in arrear, beside the hanging gale. £35 would not pay his debts, and 'if he was thinking till the day of his death' he could not tell where the money was to come from. Richard Condon had the same dismal tale. It was he who swore in the Court of Queen's Bench that in the famine times he sold to the Board of Works 500 loads of stones, taken off three-quarters of an acre of his reclamation."

He would not test the patience of the House further than by reading the following from a letter from the respected parish priest of the district, the Very Rev. Dr. Delaney, D.D., which he (Mr. Gray) had received the previous day:—

"The tenants are here with me every day asking for food. I am here only three years, and during that time I have had such tales of misery and suffering, and seen such poverty as I thought existed only in the famine years. They were poor when your correspondent was here; they are poorer now. They were in debt then; they are hopelessly in debt now. It is true they have settled. They had no alternative but the workhouse; but those who have settled this year are convinced they never can pay the rent they have promised. Many of those who have accepted are already two years in arrear. Their troubles are only commencing. They will be evicted for non-payment of the rents which they cannot pay."

These were the people of whom Mr. Bridge's counsel said—

"They were, he believed, as well off as their neighbours, and as for eating beef or mutton they would not like it, and he did not believe they would eat it if they had it to eat; they preferred the food of their fathers."

But how if they had no food at all? Let the House contrast these facts with the following description given by the correspondent to whom he had alluded, for whose accuracy he repeated he could vouch, and whose statements had not been questioned of a neighbouring estate. It was attempted to be set up at the trial that this was a case of a Catholic tenantry at enmity with a Protestant landlord; but how far this was from the fact, let the following prove:—

"Mr. Buckley's property is confined to Barnahown East. Barnahown West, which is a continuation of the same mountainous ridge, naturally of the same obstinate barrenness, but nursed into a higher state of cultivation, forms part of the estate of the Rev. M. A Collis, D.D., Queenstown—a vigorous hater of Papacy, I am told, but none the less passionately praised as a landlord by his Papist tenantry. I had a curiosity to know whether they managed these things better in Barnahown West, and took good care that in learning I should not be at the mercy of any over-officious underling itching for favour with his lord. I had an opportunity of questioning three of the most independent tenants on the Collis property, and their statements tally too exactly to leave any shadow of suspicion of their truth. Here, then, is the substance of the statement of James Fitzgibbon—a man of very solid intelligence, who wore the nearest approach to a silk hat and a broadcloth cape which I have seen in these latitudes:—'If we till an acre of barren mountain,' he said, 'the Rev. Dr. Collis will either give the lime or whatever it may cost to the amount of 50 or 60 barrels per statute acre, and if the land is in want of drainage, he will make full compensation to the tenant for the cost of that also. The tenant has only to give in the tickets for the lime or the cost of the drainage or of fencing, and it will be allowed out of his half year's rent. Whenever timber is wanting to repair a house Dr. Collis gives it for nothing, and if ever a tenant is short in the rent through bad times I never knew it to make a difference. The estate has never been revalued for the last 17 years, since it passed into Dr. Collis's hands in the Landed Estates Court, and kinder or better landlord there never was.' The praises of the Rev. Dr. Collis and of his agent, Mr. Thomas Perrott, of Uplands, Fermoy, were chorussed even more warmly by my two other informants, Patrick Drislane and Jeremiah Kenealy. When the tenants on Barnahown West were, by accident or design, amerced with the police tax which fell upon the rest of the townland after the first attempt on Mr. Bridge's life, Dr. Collis exerted himself warmly and with success to secure the exemption of his tenantry. It is almost superfluous to add that he is repaid with gratitude and reverence by a punctual and improving tenantry."

All honour was due to the Rev. Dr. Collis. If they had many landlords like him, they would have less of the Irish Land Question. He (Mr. Gray) had now placed the House in possession of the facts of this case. He had not given his own description of them, but had quoted evidence which was open to all. Such being the state of the tenants on the Galtee estate, the question was, whether he was right in bringing their case before Parliament? It might be said, in defence of Mr. Buckley, that it was a gross exaggeration to say that the rents had been raised 200, 500, 700, or 1,200 per cent, and that the average increase was not more than 20 or 25 per cent, which was moderate, seeing that there had been no re-valuation for many years; but this was a mere evasion. The complaint was not of the average increase, or of increases on the low-lying farms, which might bear a fair increase, but of those enormous increases on the mountain farms, which were simply ruinous. He hoped any hon. Member who wished to follow him would deal with the cases of those mountain tenants, and not go into mere generalities or averages, which were only misleading. The tenants themselves acknowledged that on some of the farms in the plains an increase might fairly be made. He (Mr. Gray) did not say that some increase on certain portions of the estate was not justifiable. The whole of his remarks were applicable to the mountain property, which was uninhabitable save from the ceaseless toil of these wretched tenants. And, with regard to Mr. Buckley's conduct, it was intolerable, insufferable, and calculated to bring them to absolute ruin. It might be said that they might go for protection to the Land Act; but the great flaw in that Act was, that it afforded protection to those who least required it, and no adequate protection to those who most required it. The sliding scale of compensation afforded no protection to the tenant who paid a few shillings a-year. The payment of seven years' rent to him, only meant keeping the recipient for a few weeks out of the workhouse. In the same way, the compensation for the reclamation of waste lands was a nullity, because there was a clause in the Act which provided that the time the land was held at a low rent was to be taken into account. But it was stated on the trial of Casey, by experienced farmers, that they would not take these lands at all. It might be asked why these tenants agreed to pay these increased rents, which only beggared and ruined them? But their case at that trial was likened to that of a shipwrecked crew on a rock, to whom a steam-tug came and demanded £2,000 for taking them off. They entered into an agreement to pay the money; but when that bargain was questioned in a Court of Equity, it was held to be an immoral contract which the law would not uphold. In like manner, these contracts by an English millionaire with these starving Irish cottiers was an immoral contract. But the law afforded them no remedy, and they came, therefore, and asked the House for help. He was not there to justify the outrages which had been committed against Mr. Bridge, but he firmly believed that the great body of the tenants had no part or hand in them. He did not ask that their case should be decided on an *ex parte* statement, but only that an inquiry should be made; and he was confident that if the facts were as he had stated, Englishmen, who extended their aid and sympathy to suffering Turks and Bulgarians, would not withhold it from their fellow-subjects in Ireland. The hon. Member concluded by moving the Resolution of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into and report upon the statements as to the treatment and condition of the tenants on the estate known as the 'Galtee Estate,' in the counties of Cork and Tipperary, which were made in the evidence given during the second trial of John Sarsfield Casey in the Court of Queen's Bench in Dublin,"—(*Mr. Gray,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. A. MOORE said, he wished to be allowed to make some observations on the case. He lived within some eight or ten miles of the scene of these troubles, had walked portions of the land, and had judged of the matter for himself. He did not rise to defend or palliate the awful crime of murder. He believed the men who fired at Mr. Bridge, and still more those who fired into a whole carful of people, killing the poor driver and wounding a policeman, were capable of any enormity. Still, the outrage could not justify Mr. Buckley's conduct; and the fact remained, that this district, which was peaceful and orderly before the time of Mr. Buckley's purchase, was now entirely demoralized from end to end. The landlord could not visit his property unless escorted by an armed force. The agent had a barrack at his door, and the police patrolled the country day and night—and this was the case amongst a people whose good conduct and peaceful disposition were recognized on all hands. He was of opinion that the lot of any ordinary labourer in the more favoured low lands was preferable to that of some of the small farmers, for their poverty could not be exceeded, whilst their industry was amazing. He entered one house a few weeks previously. He was told the mother had been reduced to a state of utter prostration by feeding on turnips. The children wore clothes sent them from Cork by a charitable lady. The land was five acres in extent, and they told him the rent had been raised from 18*s.* to £3 2*s.* 6*d.* In another house he found people living on Indian meal, and the bed—such a bed he never saw—some hay, with some tattered strips of what once had been bedclothes. The rent, he said, had been raised from £2 to £3 5*s.* He would not weary the House with further details, of which he had plenty at his disposal; and he would only say what he had said before, in and out of the House, that he believed this man to be an oppressor; that it was the duty of the House to stay his hand, or at least inquire into his actions. He believed it was not the agent, but the landlord, that should be held responsible. Some change was necessary in the Land Laws. He would wish to see arbitrary and capricious evictions restrained by law; and he hoped to see undue additions of rent made impossible by arbitrations, and the consequent abolition of notices to quit as an engine merely for raising rent. He thought some means ought to be established of arranging rent without necessarily determining the tenancy; and, finally, he should wish to see sufficient protection for the improvements of the tenant. English landlords were too apt to forget that in Ireland, as a rule, all building, fencing, and other improvements, were effected by the tenant at his own expense. This was the crucial point of difference between the land system of the two countries. These were some of the changes he wished to see, and some change, he was convinced, was necessary. He believed, moreover, that the longer the change was delayed the worse it would be for the landlords. Men like Buckley brought odium on an entire class, and prevented good landlords from getting a legitimate rise of rent. But there was another result which followed from oppression; it demoralized the people. First, they sympathized with crime; then, perhaps, they aided in shielding its perpetrators; and, finally, if not criminals themselves, they looked upon crime at least with indifference. This indifference, painful as it was to contemplate, was widespread, he feared, in the present instance. In conclusion, he hoped that the House would, by a very distinct Vote, mark its disapproval of the conduct of a man who, with an ample income from other sources, was attempting to grind an honest, industrious, and hardy race, trafficking in their honest sweat—he might almost say their heart's blood—and that he would be told that he might not trample on his Irish tenants any more than on Lancashire operatives.

Mr. BARING said, as far as any Englishman could understand an Irish question, he believed that he understood this; and, long before any speeches had been made in the House on the subject, he had felt that a case was in existence demanding such an examination as no body but a Committee of the House could give it. Therefore, he would only say, that if the hon. Member for Tipperary (Mr. Gray) pressed his Motion to a division, he should certainly vote with him. But he thought it would be very wise of the Government not to oppose the appointment of this Committee. If they had read, as he had for some years past, the evidence produced in courts, in newspapers, and in pamphlets without contradiction, as to what was going on in this particular district, they must feel that this was one of those real Irish grievances which an English Parliament ought not to refuse to inquire into.

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) said, he had no intention or desire to discuss the details of the management of this property which had been brought under the notice of the House, or to consider the relationships of the particular tenants on the property to the landlord; nor was it his intention to discuss whether Mr. Buckley gave too much or too little for the property, or go at all into the question of the purchase money. He should like the House to consider what was exactly the motive and character of the inquiry into which they were gravely asked to enter through the agency of a Committee of the House. The House was asked by it to constitute a court of inquiry and appeal in the case of differences which had arisen between a landlord and his tenants. Let them consider the inconveniences which must ensue if their interposition was invited—as it might be if they acceded to the Motion—in every case where such differences arose. It was perfectly clear that this would tend materially to prolong and render more acrimonious controversies of this kind; nor, for his own part, could he see on what principle that House could base an inquiry into matters of perfectly private dispute, which fell within the executive power of the Courts of Law. That consideration seemed to him conclusive against the Motion, even if this case was a new one, and if it had never been before the Courts of Law. But the truth was, that the dispute between Mr. Buckley and his tenants had taken place some time ago. They had been more than once the subject of proceedings in the Courts of Law, in which all the facts connected with them had been as fully ascertained as they could be by an inquiry before a Committee of that House. There was really little for a Committee to ascertain; nor, even if the disputes in question were still open, did he see what that House could do. If any wrong admitting of redress had been committed, it was to the Courts of Law, not to that House, that an appeal should be made. On principle, therefore, he objected to the Motion before the House. The short facts of this case were these. An English gentleman, named Buckley, whom he had never seen, but who, he believed, had formerly sat on the opposite side of the House, had purchased the Galtee estate, it was said, as a mercantile matter, with the view of making a profit out of it in the ordinary way of business. The property had been in the occupation of the same tenants for a considerable number of years, and the rent had not been raised for some 70 or 80 years. Mr. Buckley had employed a Mr. Bridge as his agent, and it was impossible not to admire the courage and the fortitude of that gentleman in the circumstances in which he had been placed. Mr. Bridge, acting under the instructions of his employer, had raised the rents through the instrumentality of a valuer; and, no doubt, a substantial increase had been made in them. Of the 500 tenants upon the estate, only some 40 or 50 had refused to come to terms with their landlord, and the whole dispute was in train for settlement, when, unfortunately, the tenants were told by those who knew more about their business than they themselves did, that they were being very badly dealt with, and were very hardly used, and the result was that an agitation was got up, and the process of settlement was put a stop to. Upon this followed the two grave attempts to assassinate Mr. Bridge, and the subsequent trial in the Court of Queen's Bench in Dublin. Matters were not now in the position in which they were a year and a half-year ago. No doubt, at that time, there was a considerable ill-feeling between Mr. Buckley and a portion of his tenants; but tranquillity now prevailed on the estate and in the neighbourhood, and it would be most inexpedient for the House to re-open the former disputes, and to rip open wounds which were in process of healing. If ever there was a time for inquiry, that time was now passed, seeing that no disputes any longer existed, but the rent had been in all cases settled by agreement between the parties. He had said, and he would adhere to the resolution, that he would not enter into the management of Mr. Buckley's estate, into the merits of the disputes between him and his tenants, or into the grievances which any of them might individually have to complain of. The hon. Member for Tipperary had drawn a graphic picture of the sufferings and hardships; but it was only fair to Mr. Buckley to say that much might be urged on the other side. He had before him a statement, from which it appeared that in many, at any rate, of these cases of alleged hardship the old rent was very low, so low, in fact, that there could hardly be a doubt that it might fairly be raised; and that, after the rent had been thus raised, the tenants were able to sell their tenant-right for larger sums, not to strangers, but to the other tenants on the estate. He would take three such cases. There was, for instance, the case of Richard Walsh, who occupied a farm of 27 acres at the old rent of 25*s.* a-year, and on whom a rise was put to the extent of £5 2*s.* Now, that did not strike him as being a very exaggerated rise; but, whether it was or not, Walsh succeeded in selling his farm to another tenant for £130. It was suggested that a man could not live on those farms; but, as a matter of fact, the purchase money for the farm of which he was speaking was supplied by another tenant farmer on the same property, who got it, he supposed, by his labour. Then there was another case of a farm of 82 acres, the whole rent of which—£5 12*s.* 6*d.*—had been raised to £6 12*s.* 8*d.*, and which was sold for £250. The last case which he would mention was that of a man named O'Shaughnessy, the interest in whose farm of 55 acres, subjected to £7 4*s.* a-year rental, raised to £11 19*s.*, was sold for £160. These facts, he thought, showed that the figures which had been quoted by the hon. Member for Tipperary did not present a true picture of the present condition of the Galtee estate. The tenants who appeared to give evidence before the Court of Queen's Bench in Dublin appeared to be thoroughly shrewd and intelligent, and he was told that they were comfortably clad, and that their evidence went strongly to show that the majority of them were not reduced to that state of abject penury which had been suggested; but that they were able, by their own good conduct, to raise a considerable amount of stock, and when their daughters were married, or their sons went out into the world, to give them a little portion to assist them. But he would not enter into further detail on the subject. He ventured to say that no case had been made out for the application of such exceptional machinery as that proposed by the hon. Member for Tipperary to inquire into the estate of a private individual. Nothing could be gained by such an inquiry, and he therefore asked the House to reject the Motion, on the ground that it was inexpedient to interfere in the private disputes between landlords and tenants in Ireland, more especially when those disputes, after being ventilated in the Courts of Law, had now happily ceased to exist, in consequence of their having been terminated by an amicable arrangement between the parties.

Mr. SULLIVAN congratulated the House upon the manner in which the subject had been introduced and discussed. The men who attempted to commit such atrocious crimes as that attempted against Mr. Bridge were the deadliest foes to justice, and those miscreants did all that their blind ignorance could do to prejudice a case which he thought must carry conviction to every impartial mind. The trial which had been held in Dublin only furnished a *primâ facie* case for such an inquiry as that which was now asked for. He considered his hon. Friend the Member for Tipperary was perfectly justified in bringing this case to the attention of Parliament—the highest tribunal in the country—which could not only inquire into the causes of those atrocious outrages, but could also take measures to prevent their recurrence in the future. The Attorney General for Ireland had said that it would be a strange and inconvenient thing if every Irish gentleman were exposed to a Parliamentary inquiry into the manner in which his estate was managed. But that was an argument which Parliament had repeatedly pushed aside. A notable precedent of the kind was furnished by an inquiry which Parliament, in 1858, granted—an inquiry into the condition of the tenants of Gweedore, in Donegal, and the outrages thence arising—an inquiry which involved, in the most direct manner, an investigation as to the manner in which the estates in that district were managed. It was well known that there were on the estate which formed the groundwork of the Motion tenants whose rents might without injustice be raised; but it was equally clear to anyone acquainted with the facts that there were on the property many tenants who had actually made the land which they cultivated by carrying soil from the low-lying lands to the mountain farms on which they lived. If there were false charges made against the landlord, an inquiry would bring the fact to light. If, on the other hand, the people were ground to the dust by oppression, the House was bound to act as the protector of the people. An impartial inquiry directed by the House of Commons would, he believed, do more to tranquillize the neighbourhood than would the presence of a battalion of soldiers, or any Coercion Act that might be passed. But how could the House expect to obtain the confidence of the Irish people if they declined to listen to grievances such as this, or to protect the people against oppression as bad as any which had been suffered by the Bulgarians?

Mr. MACARTNEY admitted that it was impossible to read the evidence which had been produced before the Courts in Dublin without a feeling of pity and sorrow for the tenantry upon the Galtee estates, which had been purchased by a Lancashire gentleman as a purely commercial speculation. For his own part, he believed that a great deal of the agrarian crime which had recently taken place in Ireland was occasioned by the transfer of landed property in Ireland from the old proprietors to purchasers in the Landed Estates Court consequent upon the famine of 1846 and 1847. The old landlords might have been guilty of improvidence and extravagance; but they had never been guilty of harshness to their tenantry. There was no doubt the rise in the rents was sudden and enormous, and the tenantry were taken by surprise, no consideration being shown for the length of time they had occupied their farms; consequently, much discontent had been occasioned. The present Motion pointed, he thought, to a proceeding which would not attain the object the hon. Member for Tipperary had in view; and what he would suggest to the hon. Member was, that he should move that the evidence taken at the trial should be printed and laid upon the Table of the House. He should be sorry to regard the purchaser of the estate in question as a model specimen of an Irish landlord. In the first place, he was not an Irishman; and, in the next, he believed he had not long been a landed proprietor, or acquainted with the management of a landed estate, and perhaps he was surprised at the little return he got from his investment. On the other hand, he could not regard the tenants who were guilty of the outrage to which allusion had been made as being fair specimens of Irish tenants. He hoped the hon. Member for Tipperary would act upon the suggestion he had thrown out.

MR. O'CONNOR POWER wished to know whether the Government intended to object to this inquiry; and, if so, on what grounds? The House had a right to ask what the Government intended to do in regard to the proposal put forward by the hon. Member for Tyrone (Mr. Macartney). No one could deny that great injustice had been done to a portion of the Irish community, and that had resulted in the perpetration of certain outrages against other persons. He did not quite approve of the Motion. Considering the greatness of the case in hand, the Motion was too narrow. He thought his hon. Friend should say—"Here are facts brought to light by protracted inquiry in Dublin, which proved that Irish tenants are not sufficiently protected by law," and urge them to provide a remedy. The Galtee landlord was by no means a specimen of the average landlord in Ireland. If they had had the opportunity of going into the whole question, they might show that in almost every instance—certainly in the Southern and Western Provinces—where oppression had occurred, it was mainly attributable to the ambiguity of the law—the law itself being an agent of oppression. He hoped the Government would answer the question of the hon. Member for Tyrone (Mr. Macartney), and that his hon. Friend the Member for Tipperary (Mr. Gray) would defend his Motion against the objections brought against it by the Attorney General for Ireland, or accept—if he were permitted the alternative—the proposal put forward and sustained by the hon. Member for the County Tyrone.

MR. GREGORY said, he was not about to contradict the statements of the hon. Member for Tipperary. He accepted them as true. He had heard them with attention, and they had made a deep impression on his mind; but the question was, what was the object of the inquiry? It appeared that the tenantry were struggling with adversity at the time Mr. Buckley took possession. The land was in a miserable condition, and the crops that were raised would not pay the cost of cultivation. It certainly appeared to be a harsh proceeding on the part of Mr. Buckley to raise the rents so suddenly as he had done; but, while he (Mr. Gregory) admitted the industry and energy of the tenantry, and sympathized with their misfortunes, he thought it would have been better for them if they had given up their tenements and become day-labourers, rather than hold on to those patches of soil which would never remunerate the labour expended upon them. No doubt the expenditure of capital might have improved their dwellings and drained their land; but they could not expect money to be laid out without the prospect of a remunerative return, and in this case there was no prospect of such return. Mr. Buckley was wrong in attempting to extort increased rents; and, before requiring them to be paid, ought to have incurred some outlay. But, admitting this, what was to be the object of inquiry, unless some alteration of the law was to follow upon the Report of the Committee? The law ought not to be altered because of what had happened in an individual and exceptional case, and he doubted whether by change in the law they could prevent cases of hardship and oppression. Such alteration would involve an extension of the Land Act, and it would become a question where they were to stop. Where oppression was determined upon it could be carried out under any law, and certainly Parliament ought not to legislate upon individual cases. The Motion would have had all the success which the Mover of it would have anticipated in securing the condemnation of Mr. Buckley, for not a word had been said in his defence. He appeared to have been an exceptional landlord, and what had been said of him in that House could not but have its influence in deterring others from acting in a similar manner. The discussion would have effected all that could be desired.

Mr. O'CLERY claimed for these poor tenants that protection, without which, such was their position, as shown by the hon. Member for Tipperary, in a short time they must be utterly ruined. It had been often said that in Ireland "Land is life;" and, undoubtedly, this was so in the case of these poor tenants on this mountain side. What alternative had they? The workhouse only; and, as had been heard, in many of these miserable homes sickness had entered; and, eviction hanging over their heads, before applications for admission to the workhouse were entertained, death would step in. It had been suggested that the subject might be brought before Parliament in the form of a Return; but it was well known that the fate of Returns and Blue Books was to be, after a delay of months, circulation silently among hon. Members, and then forgotten. What effect had the scores of Blue Books on the lives of the people in 1847-8?

Mr. MITCHELL HENRY said, it was quite certain the inquiry would not be granted. ["No, no!"] He heartily hoped it might. But, if not, the result would be a declaration to the Irish people that, under no circumstances, would the House of Commons institute an inquiry into the treatment of tenants on any particular estate in Ireland. He confessed he could not see, if an inquiry of the kind could ever be granted, how, in this instance, it could be refused. The Attorney General for Ireland, in his amiable speech, which passed dexterously over the doubtful points, praised the tenants for the frugality which enabled them to portion their daughters out of their scanty savings. But how were those savings effected? Simply, that during their life-time, and the lives of their fathers, they had never known the ordinary comforts and decencies of civilized life. There were thousands of poor people in Ireland who did not taste butcher's meat more than two or three times in a year, but who lived in a chronic state of starvation. A landlord had no right to raise rents so as to get an exorbitant interest for his money; and Mr. Buckley, by his conduct as a landowner, had reduced his tenantry to the condition of the fellaheen of Egypt—the most miserable peasantry in the world—who toiled for earnings which were instantly swallowed up in the payment of taxes. Such wrongs ought not to pass without notice in the House of Commons, especially when they were endured by the Christian population of our own country. It was unfortunate that the Government, in the interests of order and truth, would not grant an inquiry. In his opinion, an inquiry ought to be held for the information of the whole country, not only into the circumstances of the case before the House, but also into the case of Lord Leitrim's tenantry, lest the people, having all faith in the justice of their rulers, should allow the fever of Communism to infect this country as it had infected Germany. These were disagreeable truths; but these cases had no parallel in England, where the poorest labourer was better off than his fellow in Ireland. The possession of land was a luxury, and carried with it many responsibilities; and, while eviction and the increase of rents were lightly talked of, cases of hardship and misery occurred to which other countries were absolute strangers. He hoped that even at the last moment the Government would withdraw their opposition, and allow a Committee of Inquiry to be appointed.

Mr. MUNDELLA trusted that the Chief Secretary for Ireland would consent to some inquiry into that matter, even if the inquiry did not take the precise form in which it had been moved for. It had been admitted that the tenants on the Galtee estate had suffered great hardship, and if that case really illustrated, as was alleged, any defects in the Irish Land Act, surely they ought to know what the facts of the case really were? The appointment of a Parliamentary Commission to investigate the infraction of the Truck Acts had done a great deal of good; and if a similar inquiry were now instituted into these transactions, he believed it would tend to encourage the people of Ireland to confide in the justice of Parliament. He thought it would be well if the people of Ireland could understand that it was better to appeal to Parliament than to shoot at a landlord from behind a hedge.

MR. HERBERT said, he regretted this discussion, as he was going that evening to bring in a Bill which would materially affect the question before the House. They had heard that these unfortunate tenants had been ground down by a gentleman who had bought property in Ireland. His own opinion was that there ought to be some kind of arbitration adopted before a man could settle or raise the rents of his tenants in the way which had been described. No tenant in Ireland objected to pay a fair rent. There were, however, men who went to Ireland to buy estates, with the view of making some 10 per cent of their money. This was a case which ought to be investigated by a Committee of the House.

MR. J. LOWTHER said, he had hoped that it would not have been necessary for him to have addressed the House on this subject, especially after the very convincing observations of the Attorney General for Ireland; but he thought it right to make one or two remarks in reply to statements which had been made by hon. Members opposite. The Motion certainly asked for an inquiry of a very novel character, it being one not into the general administration of the law, but into the affairs of one particular estate named by the hon. Member. A very gloomy picture had been drawn of the condition of the tenantry on that estate; but that picture, however accurate it might be, was not sufficient ground for appointing a Parliamentary Committee. The name of the gentleman, the owner of that estate, had been very freely mentioned in the course of this debate; and he confessed he felt in a somewhat peculiar position in being called upon, as the Representative of a Conservative Government, to defend a gentleman who never, on any single occasion, had voted in the same Lobby with him. He, however, merely asked for justice towards a gentleman with whom he had neither personal nor political relations; but he confessed that the state of the benches opposite—upon which the hon. Gentleman in question used to sit—as they appeared at the present moment, was a matter which caused him some surprise. The hon. Member for Tipperary had spoken of the condition of the tenantry, but all he could say was that, from the description he had given of them, he did not think that they would be desirable tenants, as they were evidently without the means to cultivate the land so as to make it produce the greatest amount of food. Turning, however, to the present Motion, he must remind the House that Mr. Buckley had had the advantage of the services of Mr. Bridge, whose ability, courage, and integrity, no one could doubt, and no just fault could be found with his management of the estate. In justice to Mr. Buckley, it should be remembered that he was a gentleman who had had no experience in the management of land; and even if all that had been said could be fully established, they ought to judge leniently of one who was suddenly placed in a position for which he had had no previous training. He hoped that the advocates of what was called Free Trade in land, and who urged the granting of facilities for the indiscriminate transfer of land from one person to another, would make a note of this case which showed that considerable prejudices existed against persons who were pitchforked into a position for which they were usually not particularly well qualified, and in which they laboured under serious disadvantages as compared with those who had been practically associated with the management of landed property throughout life. There was no analogy whatever between the general inquiry undertaken by the Truck Commission to which the hon. Member for Sheffield (Mr. Mundella) had referred, and that now proposed with reference to one estate. He should like to ask the House where all this was to end? If they began inquiring into the management of one estate, why should not they also inquire into the management of the others? Allusion had been made to the case of a Peer, whose decease was matter of recent general lamentation. Should there be inquiry there?

Mr. MITCHELL HENRY said, he had been speaking of an estate which had been the scene of a great crime.

Mr. J. LOWTHER said, then if every estate that had been talked about were to be the subject of an inquiry by that House, every workshop and mine would be equally a fair subject for Parliamentary inquiry; and under such a system his right hon. Friend the First Commissioner of Works would have to make fresh arrangements for Committee rooms, and they would probably have to increase the number of Members of the House. He really would ask the House to pause before it plunged into inquiries like this now proposed, which would lead them into depths of which they could not estimate the extent. The right hon. and learned Attorney General for Ireland had put one point very concisely. Into what were they to inquire? Into matters now pending, into a controversy at present unsettled; or were they to re-open old disputes, and bring back discord where it was universally admitted that there now was peace? Hon. Members might find fault with the *status quo*, and think that matters were not as they would like them to be; but it could not be denied that a settlement had been arrived at on the Galtee estate, and that the tenants had acquiesced in the arrangement made. The hon. Member for Tyrone (Mr. Macartney) suggested that the facts should be laid before the House in a tangible form by laying certain documents already in existence on the Table, as Parliamentary Papers. He would be very glad to communicate with the hon. Member as to the nature of such Papers, and to place all the facts in that way fully before hon. Members, if it was found practicable to do so. He trusted the House would not consent to this Motion.

Mr. KNATCHBULL-HUGESSEN said, he had heard with some regret the tone which the right hon. Gentleman had taken in regard to this matter. He thought, of all persons, Mr. Buckley was the one most entitled to complain of it. Either he had used his position to oppress his tenants, as had been asserted in that House, and still more broadly asserted in the public Press, or he was a much maligned man. If he were in the place of his friend, Mr. Buckley, he should above all thing courts an inquiry into his conduct, in the full confidence that if the result would show that he had been unjustly accused of facts of which he was incapable. He was very well acquainted with Mr. Buckley; and when his right hon. Friend spoke about a defence of Mr. Buckley coming strangely from the Government Benches, because Mr. Buckley, when in that House, had sat upon the Opposition side, he would tell him that in such a case as this he could recognize no Party whatever; and that, on whichever side of the House he sat when a man's conduct was impugned, all he had to look at was whether the accusation was founded upon sufficiently broad and just grounds to justify an inquiry. He had seen and spoken to Mr. Buckley more than once on this matter. He had seen a list of those tenants who had had their rents raised, and he had found that not only had persons come forward to take the land at advanced rents, but they had been willing to pay a considerable sum to the out-going tenants for the good-will. That led him to suppose that if the inquiry were granted, Mr. Buckley and his agents would be able to show that they had been, if not fully, at any rate to a certain extent, justified in the course they had taken. In any event, if there were such facts, they ought to be known before Mr. Buckley was condemned in the manner in which he had been condemned. What would be the result of refusing the inquiry? Two hon. Gentlemen had spoken from the other side, and had announced their intention of voting against this inquiry; but neither of them said a word for Mr. Buckley. The hon. Member for Tyrone (Mr. Macartney) said, no consideration whatever had been shown to these tenants, and the hon. Member for East Sussex (Mr. Gregory) said that the result of the debate had been entirely to condemn the conduct of Mr. Buckley. What he asked was, how, after such statements as those, the House could refuse an inquiry which might show Mr. Buckley to be blameless in the matter? With regard to the suggestion that certain Blue Books should be laid on the Table, nothing would be easier than to have that evidence referred to the Committee appointed, which would give it something to deal with, but merely to lay it on the Table of the House would be useless. His right hon. Friend asked where these inquiries into the management of estates, if they once began, were to end? Well, it would be a different thing if these were general complaints; but there was a Land Act with which the Government were not satisfied, and in which they believed there were faults. [MR. J. LOWTHER: I never said so.] He was in the memory of the House, and his right hon. Friend certainly indulged, on a former occasion, in expressions concerning the Land Act which must have led the House to think he did not consider it satisfactory; and he emphatically declared that the present Government were not responsible for it. In the interests, then, of his right hon. Friend, he supported this inquiry, in order that it might be seen whether the faults which he supposed to exist in the Land Act were really there. There was, in the present case, a specific charge that in consequence of the Land Act, certain evils had taken place; but instead of having a specific inquiry which would show whether the charges made were correct, the right hon. Gentleman said—"Oh, no, let us have a general, or none at all;" so that he would rather they should lose themselves in generalities than deal with a specific charge. With regard to this complaint, he cherished a hope that Mr. Buckley might not turn out to be the sinner he was represented; but, certainly, when charges like these were brought, nothing was more likely to make the public believe him to be guilty than to shuffle off an inquiry in this manner. In the interests of justice, then, he regretted that the Government should refuse an inquiry, and had not accepted the Select Committee in the way in which it ought to have been accepted. He thought the subject should be fairly and thoroughly inquired into, and that nothing but good would come of it.

Question put.

The House *divided:*—Ayes 74; Noes 50: Majority 24.—(Div. List, No. 172.)

MURDER OF MR. OGLE.

OBSERVATIONS.

MR. H. SAMUELSON, in rising to call attention to the circumstances connected with the murder of Mr. Ogle, *The Times* correspondent in Thessaly, said, he felt that an apology was due from him to the House for attempting, at so late an hour, to trespass upon its attention; but his Notice had been on the Paper ever since the 9th of May last, and he had not had an opportunity of bringing it forward. He did not, at that late hour, intend to go into the circumstances connected with the murder of Mr. Ogle. An inquiry had been instituted into the circumstances under which that murder was committed, and a Report had been made in reference to it; but that Report had not been published. Had it been made public, it might not have been necessary for him to call attention to this very painful matter. Its publication, had, however, been constantly put off; and, indeed, he saw no greater prospect now for its production than there existed when the House separated for the Whitsuntide Recess. He wished distinctly to state that he was not impelled to take this matter up by any Party considerations, but by the strong conviction which he entertained that justice had not been done. Mr. Ogle was an acquaintance of his own, a gentleman for whom he had the highest respect, and he should be very sorry to think that his relatives would longer be left in ignorance as to the circumstances under which he had met his untimely fate. If proper steps had been taken to ascertain the entire truth of the matter, he could not but think that it would have been brought to light. He was not aware that the hon. Baronet the Member for West Kent (Sir Charles Mills) took an interest in the question, or he certainly should not have moved in the matter without first consulting him. What he (Mr. Samuelson) complained of now was the delay which had taken place in the presentation of the Papers which had been promised. It seemed to him that the murder of an Englishman was, after all, a matter of some importance, and his object was to impress upon the Government the necessity of giving the relatives of Mr. Ogle the information which they so greatly desired to receive. He could not believe that the delay which had occurred on the part of the Government had been intentional; but he did say that it was most cruel to the relatives of the murdered man. Aspersions had been made upon the character of the late Mr. Ogle. He had been accused of rashness and a want of discretion; and it had also been said that he fell fighting against the Turks with arms in his hands. All these statements he should be prepared at the proper time to disprove. He could now inform the House that Mr. Ogle's revolver was left at home, and that, at the time of his murder, he was entirely unarmed, his only weapon of defence being a walking stick which he carried. He would only further say that he believed that no man was ever actuated by purer motives, or a greater desire to be impartial, in his investigations than Mr. Ogle. That gentleman was murdered on the 30th of March near Macrinitza. On the 9th of May he asked the hon. Gentleman the Under Secretary of State for Foreign Affairs (Mr. Bourke)—"What was the present condition of Consul-General Fawcett's investigation into the murder of Mr. Ogle?" He was informed that an inquiry had taken place, and that it had concluded on the 6th of May, and the Under Secretary of State added —"The report will be considered by Her Majesty's Government." That was in answer to an inquiry of his as to whether it would be laid on the Table of the House? The hon. Gentleman did not then promise that it would be laid upon the Table, though he did not know why he should have refrained from making that promise. But, on the 16th of May, he asked the Chancellor of the Exchequer whether the Report had been received, and, if so, whether it would be laid on the Table as soon as possible? The right hon. Gentleman, he must say, with great courtesy, informed him that the Report had not arrived, but that when it did arrive it should, as soon as possible, be laid on the Table of the House. On the 30th of May he wrote to the Under Secretary of State for Foreign Affairs, and again asked him whether the Report had been received, and, if so, when it would be produced? He must here recall for a moment to hon. Gentlemen's minds the fact that all this time the bereaved relatives of Mr. Ogle were suffering under the grief which they must naturally feel at his murder, and disappointed in the desire which they must naturally experience to know how it took place, and whether he in was any way in fault or not. That was his excuse for so constantly pressing for the publication of the Papers. He could conceive no reason for witholding them. Nor did he believe that the Government had any reason or wish to withhold them. He was answered on the 30th of May by the Under Secretary of State to the effect that the Report had been received, and that there would be no delay in its publication. On the 3rd of June he again asked the hon. Gentleman in the House, when the Papers would be in the possession of hon. Members, and whether he could promise that they should have them before the House separated for the Whitsuntide Recess? The reply was, if possible; if not, they should certainly have them during the Recess. On the 12th of June, after the Recess, he asked the hon. Gentleman privately, whether the Papers were soon to be presented to the House, and whether he could explain the delay? The hon. Gentleman gave him an answer which, he must say, was not satisfactory to him, and he stated so at the time. He was sorry the hon. Gentleman was not now in his place. He said that he had done his very best, that the delay was owing to the fact that the printer had taken a holiday; and, after some hesitation, he added something about a map having to be prepared. Now, the map was a very small matter. One had already appeared in *The Graphic*, and he did not suppose that the map which would be printed and sent round with the Papers would be one bit better than that which had been given in that paper; and he did not think it was right that an hon. Gentleman in the position of the Under Secretary of State should have put off with such excuses even an humble Member of the House, when he was actuated by a sense of duty in the inquiries which he made. The Report had been in the hands of the Government since the 30th of May—at least a fortnight—and he should like to know what had been the finding of the Commission of Inquiry over which Consul General Fawcett presided? He should like to know whether the Turkish authorities were proved to be free from complicity in the guilt of Mr. Ogle's murder, or found guilty of complicity? He desired himself to make no assertion. He wished to know whether the Government were satisfied that the inquiry had been searching, and that the best possible evidence procurable had been obtained? If not, he should like to know whether it was the intention of the Government to institute a fresh inquiry? If so, he might not have to trouble the House further on this painful question; if not, and the evidence was not satisfactory, he should certainly feel it to be his duty to call the attention of the House to the case at greater length. The matter could not be allowed to rest where it was. A British subject had been murdered and decapitated under circumstances of the very greatest suspicion. The murder was at present shrouded in mystery. The Government had the Report in their hands, and they should be able to lift up the veil of mystery by which the crime was surrounded. If proper evidence were not given before the Commission, such evidence was at least procurable, and could be produced if the witnesses were properly protected. He should like to ask, also, if Iskender Pasha, the Turkish Commander-in-Chief, was on the Commission? He knew, as a fact, that witnesses were afraid to come forward and give evidence before him. There was much presumptive evidence that the authorities were responsible for the murder. He did not say that evidence was true; but he had in his own possession a mass of evidence all tending in one direction—namely, that a most cruel and inhuman murder had been committed. He had every reason to believe in the integrity of the witnesses; but from his knowledge of the district and the surrounding country, he knew how utterly impossible it was to suppose that they should come forward and give evidence unless they were directly assured that England would protect them while giving their evidence, and that afterwards they would be removed to a place of safety. The motives for the murder would not be far to seek. It would not be difficult to prophecy the fate of an Englishman, of whom it might be said in the language of *The Times*, that he had—

> "Tracked murder, and rapine, and brutal lust home to the Chief of the Police of Thessaly, and denounced publicly the official miscreant."

Who was that Chief of the Police of Thessaly? No other than Amoosh Aga, a noted brigand, of whom he should be able to say more at another time. This, as he had said, was no party question. The murder of an Englishman who was endeavouring to discharge his duty at a distance from his own country could not possibly be a matter of Party feeling. What he desired to ascertain was the true circumstances of the case. He wanted those assertions made by the people of Volo both to him and to others, to be confirmed or authoritatively contradicted. He wanted justice to be done upon the murderers, and the instigators of the crime, if any could be found; and he wanted to free from the aspersions cast upon it, by persons interested in hushing up the inquiry, the memory of Mr. Ogle, who was universally respected, for his humanity, and his brave, generous, and self-denying qualities. He was a man possessed of abilities of no mean order, he was industrious, and there was a career of usefulness open to him. He thought the murder of such a man should not pass without an expression of regret from Her Majesty's Government, and the guilty persons being brought to justice. He asserted that these people could be discovered with the greatest ease, if only a proper inquiry was instituted, conducted by Englishmen, and from which Turks were excluded. If the Government wished foreign and half-barbarian countries to believe that there was still the same ægis of protection as of yore cast over Englishmen by the country on the Possessions of which they boasted the sun never set, then they ought to be in a position to say that this inquiry had actually succeeded, and that they could lay their hand upon the guilty persons; or that such an inquiry would be instituted as would bring about that desirable result.

THE CHANCELLOR OF THE EXCHEQUER said, he was exceedingly sorry that his hon. Friend the Under Secretary of State was not in his place at that moment. He could assure the House and the hon. Member that this was a matter with regard to which there had been, and could be, no want of interest on the part of Her Majesty's Government. He had promised, as the hon. Member had truly reminded the House, that as soon as the Papers were sent home they should, without any further delay, be laid on the Table. They had now been brought to this country, and were in the hands of the printer. The House was perfectly well aware that when Papers had been sent to be printed they were out of the control, and, to a great extent, beyond the influence of the Government, though he believed that his hon. Friend the Under Secretary had done what he could to accelerate their printing. It had, however, certainly so happened, unfortunately, that they had not been delivered in such time as it was hoped they would have been. He thought it would be inexpedient that he should attempt to give anything like an imperfect account of those Papers at that moment; but if the hon. Gentleman would put a Question on the subject on Monday, he would undertake that some answer should be given that might be deemed satisfactory. He only wished to assure the hon. Member and the House that the Government regarded this matter as one of serious importance, and that there was not the slightest intention on their part either to dally with it, or to conceal from the House the information which they possessed in reference to it.

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

PARLIAMENT—PUBLIC BUSINESS.

OBSERVATIONS.

THE CHANCELLOR OF THE EXCHEQUER stated that it would be necessary to take the second reading of the Epping Forest Bill as the first Order on Monday, in order to send it to a Committee upstairs. The Valuation Bill would be placed high up on the list of Orders—probably the second Order, not for the purpose of proceeding with it, but with the view of concluding the discussion commenced at the Morning Sitting, and getting the Bill into Committee.

LANDLORD AND TENANT (IRELAND) BILL.

On Motion of Mr. HERBERT, Bill to provide for the equitable settlement of Rent in certain cases of difference between Landlords and Tenants in Ireland, and to make better provision as to Notices to Quit; and for other purposes, *ordered* to be brought in by Mr. HERBERT, Mr. KING-HARMAN, and Mr. DEASE.

Bill *presented,* and read the first time. [Bill 218.]

The Chancellor of the Exchequer

PUBLIC WORKS LOANS (IRELAND) ACT (1877) AMENDMENT BILL.

On Motion of Mr. JAMES LOWTHER, Bill to amend "The Public Works Loans (Ireland) Act, 1877," so far as relates to Lunatic Asylums, *ordered* to be brought in by Mr. JAMES LOWTHER and Sir HENRY SELWIN-IBBETSON.

Bill *presented,* and read the first time. [Bill 219.]

House adjourned at One o'clock till Monday next.

HOUSE OF LORDS,

Monday, 17*th June,* 1878.

MINUTES.]—PUBLIC BILLS—*First Reading*—Truro Chapter* (112); Corrib (Galway) River* (113); Statute Law Revision* (114); Inclosure Provisional Order (Llanfair Waterdine)* (115); Local Government Provisional Orders (Abergavenny Union, &c.)* (116); Local Government (Ireland) Provisional Order Confirmation (Artizans' and Labourers' Dwellings) (Cork)* (117); Local Government Provisional Orders (Belper Union, &c.)* (118); Local Government Provisional Orders (Bournemouth, &c.)* (119); Local Government Provisional Orders (Darenth Valley)* (120); Local Government Provisional Orders (Dawlish, &c.)* (121); Tramways Orders Confirmation (No. 2)* (122); Dental Practitioners* (123); General Police and Improvement (Scotland) Act, 1862, Amendment* (124); Parliamentary and Municipal Registration (Consolidated)* (125).

Second Reading—Pier and Harbour Orders Confirmation (No. 1)* (109); Pier and Harbour Orders Confirmation (No. 2)* (110); Elementary Education Provisional Order Confirmation (Portsmouth)* (108).

Committee—Report—Local Government Provisional Orders (Artizans' and Labourers' Dwellings)* (101); Public Health (Scotland) Provisional Order (Lochgelly)* (102).

Third Reading—General Police and Improvement Provisional Order (Paisley)* (91); Local Government Provisional Orders (Birmingham, &c.)* (95), and *passed.*

Withdrawn—Truro Bishopric* (103).

Royal Assent—Consolidated Fund (No. 3) [41 *Vict.* c. 21]; Exchequer Bonds (No. 2) [41 *Vict.* c. 22]; Railway Returns (Continuous Brakes) [41 *Vict.* c. 20]; Acknowledgment of Deeds by Married Women (Ireland) [41 *Vict.* c. 23]; Gas and Water Orders Confirmation [41 *Vict.* c. lvi]; Local Government Provisional Orders (Droitwich, &c.) [41 *Vict.* c. lvii]; Elementary Education Provisional Order Confirmation (Mickleover) [41 *Vict.* c, lviii].

TRURO BISHOPRIC BILL [H.L.]—(No. 103.)
(*The Lord Bishop of Exeter.*)

Order of the Day for the Second Reading *discharged*, and Bill (by leave of the House) *withdrawn.*

Then—

TRURO CHAPTER BILL [H.L.]

A Bill to make provision for the foundation of a Dean and Chapter for the Bishopric of Truro, and for the transfer to the Cathedral Church of Truro of one of the Canonries in the Cathedral Church of Exeter; and for other purposes connected therewith—Was *presented* by The Lord Bishop of EXETER; read 1ª. (No. 112.)

THE EASTERN QUESTION—THE CONGRESS—ALLEGED AGREEMENT BETWEEN RUSSIA AND ENGLAND.

QUESTIONS. OBSERVATIONS.

EARL GRANVILLE: My Lords, I rise for the purpose of putting to my noble Friend the Lord President of the Council (the Duke of Richmond and Gordon) a Question, of which I have given him private Notice, on an important subject; and, in the absence of the noble Marquess the Secretary of State for Foreign Affairs (the Marquess of Salisbury), I feel that I can only do so by the indulgence of the House itself. I wish to ask the noble Duke, If he can state to the House whether the Memorandum which appeared last week in a London evening paper, and which purported to be an agreement between the Government of Her Majesty and the Government of Russia, is or is not substantially correct; and, if it should appear that that is really the case, I would also ask my noble Friend if he is in a position to state whether any further information will be given to the House with regard to that paragraph of the Memorandum which applies to the Protectorate of Asia Minor?

THE DUKE OF RICHMOND AND GORDON: My Lords, in answer to the Question which has just been addressed to me by the noble Earl opposite, I have to state that the Document to which he has alluded was evidently furnished to the journal in which it was published by some person who had access to Papers that were confidential. So far as Her Majesty's Government are concerned, the publication of that document was totally unauthorized, and, therefore, surreptitious; and, as an explanation of the policy of the Government, it is incomplete, and, consequently, inaccurate. At the proper and earliest opportunity, Her Majesty's Government will give the fullest information to Parliament on this subject; but, in the meantime, they must appeal to Parliament, in the public interest, to justify them in declining to answer particular Questions on the matter.

EARL GRANVILLE: I think I need scarcely assure your Lordships that, in putting the Question to the noble Duke, I had no wish whatever to embarrass Her Majesty's Government, especially at a time like the present. But, if my noble Friend will permit me, I should like to ask him yet another Question—namely, whether the full information which he has just promised will be laid before the House, is likely to be given to us during the course of the negotiations which are now in progress, or when those negotiations come to a termination?

THE DUKE OF RICHMOND AND GORDON: I am not prepared at this moment to answer the Question which my noble Friend has just addressed to me.

EARL GREY: Do I understand the noble Duke to say that, though the Papers to which the attention of your Lordships has been called were surreptitiously furnished and incomplete, he does not deny that, so far as they go, they are an accurate account of certain transactions which have taken place—or, at least, that they contain the substance of a document which was drawn up and signed at an interview between Her Majesty's Secretary of State for Foreign Affairs and the Russian Ambassador in London?

THE DUKE OF RICHMOND AND GORDON: In answer to the noble Earl, I have simply to state that I made no such admission.

LORD HOUGHTON: It appears to me that this question is one of such vast and vital importance, that it would be alike gratifying to the Members of your Lordships' House and desirable in itself, if some more satisfaclory explanation could be given on this subject than that which we have just heard. The noble Duke opposite, in his reply to the Question of the noble Earl (Earl Granville), has left the case pretty much where it originally stood; and I rise merely to suggest to him that this question is not one between the present Government of England and the Parliament of this country, but one between the Government of England and the whole of Europe. There can be no doubt that the effect produced upon Europe by the publication of the document to which reference has been made has been portentous. In France, especially, the change of public opinion which has taken place in consequence of its appearance has been most notable and most painful, in every way, to the dignity of this country. My Lords, it would not be my desire—and I am certain it would not be the desire of any Member of this House—to throw the slightest embarrassment in the way of Her Majesty's Government upon this matter; but, whatever our opinions may be upon the general question, I think we must all feel that it is a great misfortune that the document which has been alluded to should have appeared at the present time. Even if the conditions mentioned in it are not true—even if the surrender which, according to it, we would require to make, is one to which the people of England would consent—there can be no doubt that it would have been far better for all parties if the document had appeared as the issue and outcome of a general Congress, rather than as the result of a preliminary investigation. My Lords, as the matter now stands before this country and the world, England did not enter the Congress of Berlin with free hands. It stands before Europe that England went into that International Assembly with a contract which, in the main, abandoned some of the most important points which I, and other Members of your Lordships' House, considered it to be the duty of the Government of this country to maintain; and I am sure that if Her Majesty's Government can give such an explanation of the document as may serve to place England in a more dignified position than that which she at present occupies before Europe, that explanation will be thankfully received by the House generally.

Earl GREY: The noble Duke the Lord President of the Council has stated that I was wrong in understanding him to have admitted that the document recently published was accurate so far as it went; but I really think that your

Lordships have a right to expect a little more from the noble Duke than we have yet heard. It appears to me that we are entitled to know whether that alleged agreement between Her Majesty's Government and the Government of Russia is true and correct or not, so far as it goes. I cannot perceive any object to be gained by making a mystery of a document which has all the appearance of an official and authentic Paper. The noble Duke has said that he does not admit it to be authentic; but, at the same time, he has not said that it is not authentic. The noble Duke might go a little further, I think, and distinctly state to the House whether that Memorandum is or is not what it professes to be.

The Duke of RICHMOND and GORDON: The noble Earl who has just spoken must really allow me to be the best judge of how far I ought to go in this matter. The noble Lord opposite (Lord Houghton), no doubt, entered into various topics which were not alluded to by the noble Earl who introduced the subject; but I think the noble Lord was irregular in the course which he thus adopted. My noble Friend (Earl Granville) asked me a Question as to the authenticity of this particular document. He was good enough to give me Notice in the morning of his intention of putting such a Question, and since then I have had time thoroughly to consider and to weigh the answer which I should give to him. I have given him that answer. I have stated that Her Majesty's Government do not consider it expedient, in the public interest, to enter further into the subject at the present time.

MONUMENTS (METROPOLIS) (No. 2) BILL—(No. 100.)

(*The Viscount Midleton.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

The Earl of REDESDALE said, there was one clause in the Bill which raised a question of great importance. He referred to the 4th clause, which ran—"The Board"—that was the Metropolitan Board of Works—

"may from time to time accept as a gift or bequest any monument, or any moneys for the purchase of any monument, and erect or permit the erection of any monument upon the said embankment or lands."

—the Thames Embankment and the land vested in the Board—

"and the Board may preserve and maintain every such monument, and shall have the control and management thereof for the benefit of the public."

This clause suggested the question, who were to be the proper judges as to what monuments ought to be put up? And, as the matter was one which deserved careful consideration, he put it to the noble Viscount who had charge of the Bill whether he thought it would be advisable to proceed with the measure on the first day of their Lordships' re-assembling after the Whitsuntide Recess?

VISCOUNT MIDLETON said, that in order to meet the wish of his noble Friend, he would postpone going into Committee on the Bill until Friday.

Committee *put off* to *Friday* next.

CORRIB (GALWAY) RIVER BILL [H.L.]

A Bill for the appointment of Trustees to maintain certain works executed near the River Corrib in the county of Galway; and for other purposes—Was *presented* by The LORD PRESIDENT; read 1ª; and *referred* to the Examiners. (No. 113.)

STATUTE LAW REVISION BILL [H.L.]

A Bill for further promoting the revision of the Statute Law by repealing certain enactments which have ceased to be in force or have become unnecessary—Was *presented* by The LORD CHANCELLOR; read 1ª. (No. 114.)

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 17*th June*, 1878.

MINUTES.]—NEW MEMBERS SWORN—Arthur John Otway, esquire, *for* Rochester; Alfred Giles, esquire, *for* Southampton.

SELECT COMMITTEE—Parliamentary Reporting, *nominated.*

PRIVATE BILLS (*by Order*) — *Third Reading*— Aberdeen District Tramways; Belfast Street Tramways *; Blackburn and Over Darwen Tramways *; Boston District Tramways *; Glyn Valley Tramways *; Wallasey Tramways *.

PUBLIC BILLS — *Ordered* — *First Reading*— Collection of Rates (Dublin) * [220]; Public Health Act Amendment (Interments) * [221].

Second Reading — Criminal Code (Indictable Offences) * [178].

Second Reading—Referred to Select Committee— Epping Forest [188].

Committee—Valuation of Property [94]—R.P.

Committee—Report—Inclosure Provisional Order (Orford) [189]; Tramways Orders Confirmation (No. 1) (*re-comm.*) * [207]; Tramways Orders Confirmation (No. 3) (*re-comm.*) * [208].

PRIVATE BUSINESS.

ABERDEEN DISTRICT TRAMWAYS BILL (*by Order.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

SIR WALTER B. BARTTELOT said, the other night it was brought to the notice of the House that in this and five other Tramway Bills there was a power to run by steam. He ventured at the time to call the attention of the House to that fact, and those Bills had now been put down by Order for that day. He believed there were no less than six of them which were down by Order, and in every one of them there was a provision that steam engines might be run over the tramway. Now, that was a most important question, and one which he ventured to think ought not to be decided off-hand by the House. He had no desire to lay any great blame upon the Government; but, at the same time, he thought that the Board of Trade ought to have brought in Bills of that kind, and to have stated distinctly that they were going to ask the House to confer upon tramways the power of running by steam, instead of referring the Bills to a Select Committee in the ordinary course, and leaving the Select Committee to insert in the Bills provisions to give that power. Every hon. Member knew what it was to have steam power upon the roads, and if they granted it now to one tramway, they would soon be called upon to grant it to all. He thought some very stringent precautions ought to be taken in regard to the application of such a power. He was not prepared to say that these Bills might not contain some stringent precautions and powers, conferred upon the Board of Trade for regulating the work of steam engines. Still, he thought it was a great innovation, and one that ought not to be passed without the matter having been regularly brought before the House and discussed. In the streets, when a steam roller was employed, there was generally a notice put up—"Look out for the steam roller," that being done on account of the danger; but what that danger would be when they came to sanction the use of steam tramways, and found that the people who worked the engines were not very careful, and when the use of steam power came to be increased year after year, as well as the pace at which the engines might be worked, he was not in a position to say. As he had just said, they all knew at the present moment what the use of engines upon the high roads amounted to. There were several places he could name, where the traffic for carriages had been absolutely and entirely stopped, on account of the danger arising from these engines being driven over the roads. Under these circumstances, he thought it was one of those questions which demanded very serious consideration. He was sorry to appear in antagonism to the promoters of the Bill; but he thought it his duty to ask the House to reject the first Bill, in order that he might test what the opinion of the House really was. He admitted that it would be hard upon the promoters to lose their Bill, and not to be able to rely upon the investigation of the Select Committee; but he thought that the interests of the public were paramount. Without making any further remarks, he would move that the Aberdeen District Tramways Bill be rejected. He was sure there was not a Gentleman present in the House who did not know and feel what it was to have steam engines running over the roads.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Sir Walter B. Barttelot.*)

Question proposed, "That the word 'now' stand part of the Question.

Mr. ARTHUR PEEL said, he had nothing specially to do with this particular Bill, the rejection of which had been moved by the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot). His (Mr. Peel's) only reason for rising now was, that he had been Chairman of the Select Committee appointed to consider the whole of the subject, and they had had a very long and arduous sitting, in which they had gone into the whole question as to what should be the regulations to govern the use of steam or power other than horse power upon tramways. It had been open to the Committee to decide whether the use of steam should be permitted upon tramways, or not; but the evidence before the Committee had been so overwhelmingly in favour of steam, that they had agreed to permit it. They had not only the evidence placed before them by various witnesses, but they had referred to them the Reports of previous Committees on the subject, and the evidence in favour of steam had been really so overwhelming, that they assumed as a fact that steam ought to be permitted, although they fully recognized that it ought only to be permitted under the most stringent regulations and safeguards for the protection of the public. The hon. and gallant Baronet said that the question was one that deserved serious consideration. He (Mr. Peel) quite agreed in that view, and he thought that, considering what had passed in reference to the question, the House would see that they had arrived at the point when it ought to be definitely settled. Already three Committees had inquired into the matter. There was the Committee which sat upon the question of Locomotives on Roads in 1873. In 1877 another Committee was appointed to consider under what regulations steam should be used on tramways; and Her Majesty's Government thought proper to appoint another Committee that year, which was the Committee over which he (Mr. Peel) had had the honour of presiding, and to whose decision he had just referred. They were asked to consider almost the very same question as that referred to the Committee of last year, and they had laid down regulations which were to govern the use of steam. They had, however, done much more than that. They had entered into the whole question of the conditions under which this novel undertaking should be allowed. They had considered, on the one hand, the interests of the promoters, and, on the other, the interests of the public. The Committee had drawn up, in the Report that was now before the House, a series of principles on which their recommendations were based; and he must say that he had heard these principles canvassed in two ways. On the one side, it was said that they were much too stringent, and would not allow the promoters to carry on their undertaking; and, on the other hand, it was said they were much too favourable to the promoters, and that the public would be prejudiced by the introduction of steam in the crowded thoroughfares of the large towns. With the permission of the House, he would detain them for a short time while he stated briefly what these principles were. The Committee considered that the use of steam in lieu of horses was, comparatively speaking, a novel undertaking. It was true that it had been tried in some places in this country already. There were steam tramways at Wantage, at Batley, and at Swansea, and abroad steam was in use in Paris. Cassel, in Germany, was, however, the head-quarters of these tramways. The Committee obtained evidence from all those towns, and they had further evidence from General Hutchinson, one of the Inspectors of the Board of Trade, together with the Reports of that gentleman, who went into the whole question most minutely. After hearing General Hutchinson, the Committee came to the conclusion that, though it was a novel undertaking, it was so far established in use that it would be unwise on their part absolutely to prohibit the use of steam. At the same time, they thought that as the question was taking hold of the public mind in this country, it would be wise to lay down conditions which should protect them against abuse. They, therefore, thought that any concession to be made to the promoters should only last for a limited period of seven years, at the end of which time it would be competent for the local authorities to take up the rails on which steam tramways were used; and, in effect, to make the tramway cease, as far as it was a steam tramway, altogether. They felt, of course, that if seven years' experience had been gained, the objections raised to the use of steam would either be verified or refuted. They thought, also, that, considering the nature of the concession granted to the promoters, and considering, also, that steam tramways could be worked more cheaply than horse tramways, the public ought to be benefited by having the tolls as low as possible. They, therefore, inserted a provision that the tolls should be revised after a period of five years. They thought, generally speaking, that liberty of contract should be allowed between the local authorities and the promoters. The local authorities might be not unfairly assumed to be the best judges of the interests they were elected to maintain. The Committee were of opinion, therefore, that the local authorities should be able to make what contracts they pleased with the promoters who wished to institute steam tramways in any particular district; but they also thought that the public ought to be protected against the promoters on one side and the local authorities on the other. The local authorities, for instance, might, in some cases, be disposed to levy such an amount of black mail from the promoters of the steam tramway as would materially interfere with the undertaking. On the other hand, the local authorities might be promoters themselves, or might be induced to make such a bargain with the promoters of the Tramway Company as would be prejudicial to the interests of the public The Committee, therefore, said that if there was anything in the contract which made it objectionable to the inhabitants of the place in which it was proposed to lay down steam tramways, the Board of Trade should be constituted the friend of the public, and should be able to step in and see whether the terms of the contract militated either against any particular interest, or against the interests of the place in general. He knew very well that there had been in past times a feeling in that House against tramways altogether. When horse tramways were first started, there was a strong feeling against them; but he thought the time had now passed by when horse tramways were regarded as objectionable. Under all the circumstances, he thought the House ought to be very careful as to prohibiting entirely the introduction of steam tramways. Anybody who consulted the Report of the Committee which sat last year, would see what great use was made of tramways in the Metropolis and in other large towns. They would be astonished at the way in which the existing horse tramways were serving the public convenience. It was stated that in London, in the year 1876, three Metropolitan Tramway Companies carried no less than 48,000,000 passengers, and in Edinburgh, he believed, the number carried in one year—out of a population of 250,000 — was about 8,000,000 or 9,000,000. That applied to horse tramways alone. But the convenience of steam over horse tramways —setting aside the obvious advantages of steam—was very great. First as a question of humanity. It was stated that the working life of an omnibus horse was only 4½ years, after which it was sold, and would not fetch more than £5 or £6. The life of a horse of a tramway car was even shorter than that of an omnibus horse. It was half-a-year shorter—4 years being calculated to be, for all profitable purposes, the life of the horse used in a tramway car. If Parliament sanctioned the use of steam, they would save this immense wear and tear of horses. They would relieve Tramway Companies from being required to keep up an enormous and expensive stock, and they would give the public the benefit of the change by enabling them to go from place to place, especially in the crowded suburbs, at a much cheaper rate than they could do now. Having spoken so long upon the principles upon which the Committee based the recommendations in their Report, it was only necessary that he should add, further, that, independently of the principles they laid down, on which their suggestions were formed, they embodied a recommendation in the Report that those suggestions should be made to apply to Tramway Bills, and to Tramway Provisional Orders alike. This was a very important matter. It was important that Private Bills and Provisional Orders on this subject should be treated in the same way. Independently of this, the Committee had endeavoured to make suggestions for governing the mechanical part of the question, by laying down principles which could be put in force in the shape of bye-laws. These bye-laws would govern the ingress and egress of the passengers, the emission of steam, the regulation of the light of the furnace, and, above all, the pace at which the tramcars would be allowed to run. It was only fair to add, that upon the question of the maximum speed, although there was no division in the whole course of the Committee's inquiry, and they were generally unanimous, yet, upon this point, there was a feeling that they might have placed the maximum speed at which the engines were to be permitted to run at too high a figure—namely, at eight miles an hour in towns and 10 miles an hour in the country. It was possible that the House might think that the maximum speed ought to be altered; but, inasmuch as this question had been over and over again referred to a Committee, and as the present Committee had accepted the principle of allowing the use of steam, and had laid down regulations for its use as safeguards for the pubic, he earnestly hoped that the House would feel that the time had come when, in the interest of those promoting tramway schemes, and, above all, in the interests of the great body of the public, the matter ought to be definitely dealt with. He did not believe that a single Member of the Committee had any interest in the matter. They only accepted the evidence placed before them, and upon that evidence they came to the best conclusion in their power. He had now discharged his duty by laying before the House the principles by which the Committee came to their decision, and although he was anxious that the House should accept what was the result of a series of very laborious sittings on the part of the Committee, yet, so far as the Committee were concerned, he would leave the question respectfully in the hands of the House.

Admiral EGERTON, as a Member of the Committee, wished to say a few words to endorse the statement of the hon. Member for Warwick (Mr. Arthur Peel). The Committee went most carefully into all the evidence placed before them in regard to these Bills; and if there were one point upon which they made up their minds more than another, it was in regard to the question of safety. What the Committee heard upon that point was almost decisive. The difficulty of stopping a horse tramway was very much greater than when steam was used, and, consequently, the liability to occasion accident would be less. But there was another point which ought to be considered. Probably, the greater portion of hon. Members of that House were not in the habit of using tramways, and for himself he could not say he was particularly partial to them; but they were used by a very large portion of the public outside. It was thought by many that they were extremely inconvenient to carriage traffic; but the enormous number of persons carried by them rendered them now almost a necessity. The evidence given to the Committee was, that at present the wear and tear of horse power was very considerable, and it appeared to the Committee that if tramways were to be extended, something must be done to provide some other motive power. It seemed to him, taking all the circumstances into consideration, that the application of steam power to tramways was indispensable, and he hoped the House would pause before they took the serious step of rejecting these Bills.

COLONEL BEAUMONT, as a Member of the first Committee, was anxious to make a few remarks. He, for one, attached the greatest importance to this legislation. He rather fancied that the objection which was raised by the hon. and gallant Member for West Sussex (Sir Walter B. Barttelot) in regard to the third reading of the Bill, was not an objection to the use of mechanical power alone, but that the hon. and gallant Member wished to raise an objection to the whole system of tramways under cover of an objection to the use of mechanical power. [SIR WALTER B. BARTTELOT: No, no!] He (Colonel Beaumont) hoped he was in error.

SIR WALTER B. BARTTELOT said, the hon. and gallant Member certainly was in error.

COLONEL BEAUMONT was glad to find that the hon. and gallant Baronet repudiated that idea. Still, he fancied that a good many people who objected to tramways altogether, were anxious to take that opportunity of recording their objection to the use of mechanical power as a cover to their objections to tramways altogether. The importance of the tramways generally to the poor man could not be over-estimated; and he hoped he was not out of Order in stating his belief that the question the House was now called upon to decide was one of the greatest possible importance to the travelling public. It was all very well for people, whose carriages were put to inconvenience, to say that there was a danger in the matter; but it must be borne in mind that for one person who rode in a carriage, thousands travelled by tramways. The question was not a new one to the House in any sense. For two Sessions it had been investigated by Committees, and he hoped the decision of the House would endorse the conclusion arrived at by those Committees. He sincerely hoped that the House would not arrive at a decision which would practically have the effect of throwing cold water upon tramway enterprize.

MR. DILLWYN said, he was one of those who very much agreed with his hon. and gallant Friend who had moved the Amendment (Sir Walter B. Barttelot). His objection was not at all to the use of steam, as a mechanical power on the high roads, but he did object to the use of mechanical power where the roads were not wide enough to accommodate the carriage traffic as well. He knew more than one instance in which tramways were laid down in very narrow streets. How they obtained the general power to do so, in the first instance, he did not know —probably, by an arrangement with the local authorities; but there were cases in which almost the whole road was occupied by the tramways; and the result was, that Parliament had dedicated to a private company the road which was intended for the use of the public. The hon. and gallant Member who had just addressed the House (Colonel Beaumont) stated that thousands travelled by the tramways where only one rode in a carriage; but there were thousands of carts and carriages and other vehicles that made use of the high roads as well. He knew many places where the number of persons who travelled by tramways were by no means so large as the number who made use of the roads in other ways. It must further be borne in mind that the roads were constructed at the public expense for the public convenience, and yet it was now proposed to dedicate them to the use of a section of the public alone. As he had already said, he did not object to the use of mechanical power. He had no doubt that it might be brought under proper control, and might be made to work very well; but, unless better provision were made than he thought was made by the Committee in the present Bill for insisting upon a full and ample width of roadway upon the high roads used by steam tramways, they had better have the tramways without any mechanical power at all. Mechanical power, unfortunately, was less under control than horse power. He was acquainted with places where the existing tramways without mechanical power were dangerous; but, bad as they were now, they would be worse, and still more dangerous, if the use of steam were sanctioned upon them. Whether it had been accomplished by getting round the newspapers, or the local authorities, he was unable to say; but, in many instances, tramways were laid down in roads where they ought never to have been sanctioned, as the roads themselves were not wide enough for them. In such cases carriages and carts were constantly put to great inconvenience, and although in many instances the roads were too narrow for horse tramways, the inconvenience and danger would be much greater when mechanical power was used, and the result would be that many people who now used the roads would have to abandon them altogether. He did not object to the Bill because it sanctioned the use of mechanical power; but he did object to the omission on the part of the Committee of a satisfactory provision in regard to the width of the roads. He thought no road should be given up to a tramway unless there was ample width for two or three carriages besides the tramway car. He hoped the House would pause before they read the Bill a third time, and would support the Amendment moved by the hon. and gallant Member for West Sussex, or refer the measure back again to a Select Committee to take some means for providing that the public, as well as the tramway companies, should have the use of the roads. Under the present Bill, he did not think they would have that use of them which they were entitled to.

Mr. ASSHETON said, the hon. Member for Swansea (Mr. Dillwyn) had laid down the doctrine that tramways worked by mechanical power would be less under control than those which were worked by horse power. He (Mr. Assheton) protested against that assertion. The evidence which was given before the Select Committee on tramways last year fully convinced him that tramways worked by mechanical power would be even under greater control than tramways worked by horse power. When he (Mr. Assheton) went into the Committee on Locomotives on Roads, he had certainly some misgiving as to the propriety of sanctioning the use of mechanical power on roads, on account of a fear that it might frighten the horses using the road. The same objection to the use of mechanical power was, he believed, entertained by other hon. Members. As far as he remembered the result of the investigation of the Committee as to the question of mechanical power frightening the horses, it resolved itself into this—that if they could stop the noise, or the escape of smoke or steam, they would not frighten the horses at all; but if they did not succeed in preventing noise and the escape of steam and smoke, then the use of mechanical power would frighten the horses. He understood there was not the least difficulty in preventing the escape of smoke and steam, and the regulations proposed to be laid down by the Board of Trade distinctly provided that that must be done. In all cases it was to be necessary that the tramway cars should be drawn without noise, smoke, or steam, and in that case they could be driven with safety to the animal power engaged in drawing other vehicles. Whether the House were willing to adopt the principle of permitting the use of mechanical power or not, he should oppose the Amendment of his hon. and gallant Friend behind him, and should vote for the third reading of the Bill.

Mr. HUSSEY VIVIAN said, the Bill raised a very important question, and he did not think he would be occupying the time of the House unnecessarily if he said a few words upon it, having had personal experience of the working of these engines on a road in his immediate neighbourhood. There was an ancient tramroad, which extended for about five miles along the Bay of Swansea, and close to his own residence. It had existed as a tramroad for some 70 years, or perhaps more. It became disused for the purposes for which it was originally constructed, and it was afterwards converted into a horse tramroad for the conveyance of passengers from Swansea to the village of Oystermouth, five miles away. The tramroad had been worked for this purpose for about 15 years, and it had satisfied every possible requirement. It had conveyed a large number of passengers for this distance of five miles without the slightest inconvenience to anybody. He was not aware that any accident had ever occurred. Everybody was perfectly satisfied, and the accommodation afforded to the locality was complete and satisfactory. He had himself, when he had the honour of commanding a Volunteer regiment, conveyed the regiment, 600 strong, along the tramway line without the slightest difficulty. Of course, he meant in a series of cars, drawn by horses; and that, too, on a day when there was considerable traffic, because it was necessarily a holiday. A short while ago the tramway was purchased by a London Company, and they proceeded last year, about the month of August, to put upon it one of these locomotive engines. He had no sort of prejudice against the use of the engine; on the contrary, he was rather glad to see that the engine was placed upon it, as he hoped an improvement in the shape of lowering the fares would be secured, and that the public would gain an advantage. The engine worked very badly, and in the month of December improved engines of the same kind as those proposed to be used on street tramways were introduced, since which people residing in the district had had practical proof of the working of these so-called noiseless engines. The tramway was situated immediately adjoining the turnpike road. It was not on the turnpike road, and was, therefore, not so disadvantageously placed as an ordinary tramway. It ran alongside the turnpike road, which was not deprived of any of its original width. The House would, perhaps, consider that this was an exceptionally favourable state of things. The tramway did not occupy the centre of the road, as was usually the case, but passed alongside the road, and yet so much inconvenience was experienced from the passing of this engine, that many persons were afraid to drive along the road at all. The engines in use were the smokeless, noiseless, and steamless engines, which were to be used under this Bill; but they were neither noiseless nor steamless. He gave this as a fact within his own knowledge, and he thought that hon. Gentlemen who had sat upon this Committee had been misled by the statements of engineers; at any rate, they had not had the experience he (Mr. Hussey Vivian) had had of these engines, and he was prepared, without the slightest hesitation, to say that the engines were neither noiseless nor steamless. Smokeless they might be, because it was possible to use fuel which would not send out smoke; but noiseless or steamless they were not. On the contrary, the noise of the engines could be heard for a long distance. He had heard it himself for more than half-a-mile, and he was told by others that they had heard it for more than a mile-and-a-half. The noise made by the trains in running along the line was very considerable indeed, and he was quite certain, from the knowlege he possessed of mechanics, that they could not construct an engine and make it run at the rate of some eight miles an hour without its making considerable noise. Then, again, they could not construct a steam engine from which it would be possible to prevent steam escaping at times. It was quite clear that every steam engine must have a safety valve. It was ridiculous to suppose that they could construct a steam engine without a safety valve, and from time to time the steam must escape from the valve. Then, again, the engine would prime in consequence of the water collecting in the cylinder, and that water must be driven off by steam. He had, in fact, seen the steam constantly escaping. Horses were also frightened by the fire of the engine. At night there was the reflection of the fire on the road, and thus meeting one of these engines at night was calculated to frighten horses seriously. There was no doubt about this fact, because it occurred from day to day. Horses were constantly frightened; and, as a matter of fact, his own family had been almost driven off the road in consequence of the running of the tramway engines. He believed that engines would not have been allowed on the line, if it had not been an existing tramway; and the persons who were aggrieved contended that the Company had no right to use engines upon it, although it was an existing tramway. He had himself brought the matter before the County Road Board. They had commenced a prosecution, which was *sub judice,* and the decision expected shortly in the Court of Chancery. Various affidavits had been made in support of the injunction prayed for. The injunction was to restrain the use of locomotives upon the line; and, perhaps, the House would allow him to read the affidavit of a farmer with regard to an accident which happened to him not very long ago. John Beynon, a farmer of Oystermouth, in the county of Glamorgan, said that—

> "On Saturday, the 22nd of December, 1877, he was returning from Swansea, about 6 o'clock in the evening, and that, after passing the turnpike gate, he heard the tram-engine coming from Swansea, there being at the time two carriages in front of him, and a large omnibus immediately behind, which wanted to pass. He had to draw his horse to the left hand side of the road, nearest the tramway, in order to allow the omnibus to pass, and as the tram-engine came up, it greatly frightened the horse, which started off and came in contact with the omnibus. The vehicle was overthrown, and his wife and himself were both thrown out. His wife had her shoulder much bruised, and he himself fell upon his head, which was badly cut. He was taken home and attended by the doctor for five weeks, during which time he was unable to leave his house, and he had not recovered yet; and, indeed, he had been told by the doctor he never would get over it completely."

There were numerous affidavits with regard to other accidents, and he need not remind the House that this was not the case of a narrow street, but of a turnpike road with open ground around it. He asked the House if they were prepared to pass incidentally, and in this manner, clauses which would introduce such a system as this into the main thoroughfares of the large towns? He did not regard this as a broad question which had already been thoroughly discussed and settled by the House. Very few hon. Members knew that the question was coming before the House that day. When he himself heard it, he had to hunt through the Papers in order to ascertain how it was to come before the House, and he discovered that it was to be brought forward, incidentally, in certain clauses, which had been introduced into a Private Bill. It was quite true that the Committee had investigated the case; but, unfortunately, they had only had one side before them, and he had not had time to read the evidence. The Report of the Committee was dated the 7th of June. The House rose on the 7th of June for the Holidays, and he really had not had time yet to read the evidence upon which the Report was based. Indeed, he doubted whether any hon. Member had had time to read it. He contended, therefore, that if the House sanctioned this Bill, they would be passing an Act and admitting a principle which would drive the public off the roads of the country. He was perfectly certain that the House was not aware of the danger of legislating in this incidental manner. If steam power were to be sanctioned, let the question be thoroughly discussed in the House. The Report of the Committee itself showed that the Committee were in doubt whether they had sufficient evidence before them to act upon. They said—

> "A difficulty at once presented itself to your Committee. Parliament had, in two instances, sanctioned the use of steam for the experimental use of mechanical power; but the instances were too few, and the trials of too partial a character, to allow a definite judgment to be formed."

Nevertheless, although the Committee said the instances were too few to allow a definite judgment to be formed, the House was called upon to legislate as if the most definite judgment possible had been formed. He ventured to say that it would be unwise and precipitate legislation. If they were going to adopt a new principle, let them thoroughly consider and discuss it, and think it out. Some statements had been made in regard to the use of steam tramways in Paris. He was in Paris last week, but he saw no engines in use. He saw hundreds of horse-cars working well, and without any strain upon the horses. He did remember once, two or three years ago, near the Gare de Lyon, seeing one of those things running; but if they had been successful in Paris, they would, long before this, have had them running in all the great thoroughfares. The lines which run up to the Exposition were worked by horse power, and he contended that they could work tramways by horse power, not only without inhumanity, but with perfect safety and economy. He had seen them working both in Paris and America; and with proper brakes, such as were used in those countries, the carriages could be stopped instantaneously. There was no sort of safety which could be gained by the use of locomotive power, which could not far better be gained by the use of horse power. The argument had been used that the horses were soon worked out, and rendered unfit for service. That could easily be prevented by adapting the weight of the draught to the power of the horses. In that case, the horse would be no more worn out than in drawing a carriage. There was nothing to prevent horses being used with humanity in connection with the tramway system. He would not detain the House longer, and would simply add that he did not believe the public would obtain any saving in consequence of the use of steam power. He believed that it would turn out in the end that it was just as expensive, and the public would gain no benefit. He would not have detained the House at such length if it had not been that he was anxious to give the result of his own personal experience in connection with the use of steam upon tramways.

MR. BATES, as a Member of the Committee, supported the Bill. The Committee were intrusted by the House of Commons to take evidence, and they had formed their opinion entirely on the evidence they had taken. He must say that the evidence brought before the Committee was such that he was compelled, even against his will, to assent to the propriety of authorizing the use of steam. The only objection he took was to the speed at which engines were to travel. He did think that eight miles an hour in towns so densely populated as those of Lancashire, where these tramways were proposed to be made—such as Blackburn, Accrington, and Darwen—where factory children were coming out in large numbers at stated hours, was too great a speed, and that there ought to be some alteration in that respect.

MR. W. HOLMS said, that having been a Member of the Select Committee on Tramways, he might be allowed to say a few words. The questions remitted to the Committee to consider were—first, whether or not steam should be allowed to apply to tramways; secondly, if so, under what rules and regulations it was to be applied; and, lastly, to adapt those rules and regulations to certain Bills and Provisional Orders? With one exception—namely, with regard to the speed at which the tramway locomotives were to run—the Committee were perfectly unanimous in the conclusions they arrived at, and the rules and regulations which they thought ought to be laid down. The hon. and gallant Member for West Sussex (Sir Walter B. Barttelot) had, he thought, shown undue fear as to the application of steam to tramways—especially upon narrow roads. In every case power was given to the local authorities to say whether these engines should be run on narrow roads or not. The Committee thought that the persons locally connected with the district were the best judges of the necessity of the case. Moreover, they gave the right of appeal to the general public to the Board of Trade in the event of danger being apprehended. The hon. Member for Swansea (Mr. Dillwyn) had told the House that the public roads were made at the public expense, and he seemed to infer that the tramways were allowed to use the roads for nothing. He (Mr. W. Holms) thought the evidence showed, as a rule, that the local authorities called on the tramway authorities to bear an unduly large proportion of the expense of repairing the roads. The Committee had evidence from Paris, Philadelphia, Hesse-Cassel, and Glasgow, to the effect that in those cities steam power was in use, and that the cars could be pulled up in as short a space as cars drawn by horses. Then, again, it was proved that tramcars drawn by steam could easily run over gradients that would be almost unworkable by horse power. The hon. Member for Glamorganshire (Mr. Hussey Vivian) said that in his part of the country steam tramways had been found neither smokeless, noiseless, nor steamless. The hon. Member ought, therefore, to accept the regulations embodied in the present Bill, because they gave power to the public to appeal to the Board of Trade to have such tramways stopped if they did not comply with the regulations laid down with reference to steam, smoke, and noise. He wished, further, to point out that, instead of fixing an indefinite period for the existence of these tramways, the Committee had laid down as one of the leading principles that should not be allowed for a longer fixed period than seven years. At the end of seven years they might be subject to further regulations, and must necessarily come under the notice both of the local authorities and the Board of Trade. He would only add that the importance of the question could scarcely be overrated. They all deplored that their great cities and towns were so over-crowded. If they were to lessen that over-crowding, the best means of attaining the object would be by passing those Tramway Bills and Provisional Orders, the object of which was to provide means for the conveyance of large masses of the people by cheap and easy methods.

Mr. NEWDEGATE thought, in connection with tramways, that it would be found to be necessary to give the Board of Trade concurrent authority in all matters connected with the use of steam on railways. There were defects in the present regulations; but it was admitted that, so far, the use of steam had only been sanctioned as an experiment. He saw that the hon. and gallant Member for South Durham (Colonel Beaumont), who had already spoken in favour of the Bill, had placed upon the Notice Paper a Question upon the subject, namely—

> "To ask the President of the Board of Trade, Whether he is empowered to grant licences for the experimental use of steam or other mechanical power on Tramways, in accordance with the paragraph 8 of the Report of the Select Committee on Tramways (Use of Mechanical Power) Bills; and, if not, whether the Government will bring in a Bill authorizing the Board of Trade to place all Tramway Companies on the same footing, whether they have or have not applied during the present Session of Parliament for the Confirmation of Provisional Orders?"

It was evident that the hon. Member considered the use of steam sanctioned by the Select Committee as an experiment; and it was evident from what had fallen from the hon. Member for Glamorganshire (Mr. Hussey Vivian), that it was not always a successful experiment. He (Mr. Newdegate) doubted very much whether, as the evidence which the hon. Member had been good enough to read to the House had never reached the Committee, the Committee were fully aware of the dangers and inconveniences which might result from the use of steam power on tramways. What he would, therefore, suggest was this—that these Bills should be postponed, and that the House, before venturing further upon this experiment, should consider whether some extended powers, in connection with the use of steam on tramways, should not be given to the Board of Trade before such use was permitted; because, hereafter, they might be told, notwithstanding the seven years' limit, that if any interference was attempted they would be sacrificing the capital which had been invested. In justice to those who contemplated the use of steam power, he thought the Board of Trade ought at once to be armed with a power of interference.

Mr. O'CONOR was anxious to say a few words in answer to the speech of the hon. Member for Glamorganshire (Mr. Hussey Vivian), having been a Member of the Committee to whom these Bills had been referred. It so happened that the Committee heard a great deal, during the time they were engaged in their deliberations, of the Swansea Tramway referred to by the hon. Member, as they had to deal with another tramway, upon which it was not proposed to use steam power at all; but which was intended to join the Oystermouth Tramway, and in this way the Oystermouth Tramway came before them. They found that the Oystermouth Tramway was a tramway which had used steam power without any authority at all, and was subject to no regulations. The Board of Trade, in point of fact, had no control over it, and the Company could run any engine they liked, and at any speed they pleased. It was not wonderful that, under these circumstances, the Oystermouth Tramway had become a nuisance to the neighbourhood. But if a tramway under this Bill were authorized, the Board of Trade could stop it at any time, if the rules laid down for the regulation of tramways were not carried out, or impose penalties for their own observance. It was very important, when the House came to divide upon the question, that no hon. Member should be under the impression that the experiences related to the House by the hon. Member for Glamorganshire were likely to occur under the present Bill.

Mr. HUSSEY VIVIAN said, the engines used upon the Oystermouth Tramway were similar to those which were proposed to be used in the case of these Bills. They were known, he believed, as the "Hughes' Patent Engine," and they were said to be noiseless and steamless, and further, they limited themselves to a speed of eight miles an hour.

Mr. O'CONOR said, the Committee had evidence from the owners of the Oystermouth Tramway that they proposed to run their trams at a rate of 15 or 20 miles an hour.

Colonel LOYD LINDSAY said, he was a perfectly impartial witness in the case; but he wished to give his experience in opposition to that of the hon. Member for Glamorganshire (Mr. Hussey Vivian). After the remarks that had been made by that hon. Member and the hon. Member for Swansea (Mr. Dillwyn), he felt that he ought not to sit still and not say a word. His experience had been gained in connection with a tramway which had been constructed in his own neighbourhood—namely, in the town of Wantage. It was a tramway of about 2½ or 3 miles in length, and it had given universal satisfaction. [An hon. Member: Is it a steam tramway?] It was a steam tramway. They had a horse tramway originally, but found that it would not pay as a horse tramway; the wear and tear of horseflesh was very large; so they determined to ask for steam power, and they obtained it. They had now been running for more than a year, and their work was perfectly satisfactory. So far as horse tramways were concerned, he believed the most painful work they could put a horse to was drawing a tramway car. It was positive cruelty to horseflesh. It reduced the life of a horse to an average of about four years, while its value was reduced to £6 or £7. In fact, when it was done with for tramway purposes, it was only fit for the knacker's yard. Since steam had been established upon the Wantage Tramways no inconvenience had been sustained by the other traffic. He had ridden his own horses by the steam car; and, in addition, he might say that it was a neighbourhood from which valuable horses were constantly being sent to and fro from the stables in the district to the railway station. They passed these tram cars four or five times a-day, and he had never heard of any loss or any accident. In addition to that, the poor people who used the cars were able to ride in comfort and luxury. The working men upon his farms, for a fare of 2*d*., could have a ride of two miles. They were able to go backwards and forwards for that small sum, and they would save the great loss of time involved in walking. Under these circumstances, he earnestly hoped that the House would not reject the Bill; but that, by passing it, they would enable the working men of other localities to enjoy the luxury and comfort of travelling which had been enjoyed not only by himself, but by a large number of poor people in the district in which he resided.

Mr. KNATCHBULL-HUGESSEN said, he wished to make one or two observations upon a point which had not, as yet, been adverted to. He wished to ask the Chancellor of the Exchequer, if steam were to be allowed on these tramways, in what respect would the tramways differ from railways, except that they would run on roads made for them by other people, whereas the railways were on roads constructed at great expense by the companies which worked them? He should like, also, to ask, whether the tramways would, or would not, be subject to the railway passenger duty? because, if they were, he should, at least, have the satisfaction of knowing that if he voted for this Bill, he should be aiding the increase of the country's Revenue; if they were not, they would be placed in a position of very unfair advantage over the railways of the country.

Mr. T. E. SMITH believed that tramways worked under steam power were worked much more quietly and noiselessly than those which were drawn by horses. In fact, one of these steam tramcars did not make one-half the noise which an ordinary tramcar made in the streets at the present time, or one-fourth of the noise which a steam roller made upon the Thames Embankment every day of the week. Under these circumstances, he thought it would be of great advantage to pass the present Bill. He believed that what had been already said had been quite true—that the opposition to the introduction of steam power was really an opposition to tramways generally, and the objection entertained to tramways was due in a great respect, he was afraid, to the unsatisfactory supervision which existed over the rails as they were now laid down. It was a most extraordinary thing that in London the rails were of a worse pattern than in any other town in Europe.

On the Continent no inconvenience whatever was sustained from the rails; but in London the rails were only equalled by those in America, and were, undoubtedly, a nuisance. He was satisfied that steam cars would be much less nuisances than horse cars.

The CHANCELLOR of the EXCHEQUER said, he had nothing to say in regard to the general merits of these Bills for the use of steam power on tramways; but he had risen principally to answer the question of the right hon. Gentleman opposite (Mr. Knatchbull-Hugessen). He believed there was a clause in one of the Bills now before the House, by which it was proposed—

> "That notwithstanding anything contained in this Order, the promoters or any persons using any tramways &c., shall be subject and liable to the provisions of any general Act which may now, or hereafter, be obtained in this or any future Session of Parliament, or by which any tax or duty may be granted or imposed for or in respect of tramways or of passengers conveyed thereupon."

The question asked by the right hon. Gentleman was a very important one, in so far as it related to the intentions of Parliament. If Parliament passed these Bills, and gave power for the use of steam on tramways, the question of taxation must very properly be considered hereafter. At the present moment, he apprehended the position of the House to be this—The question of the use of steam on tramways had been raised upon a certain number of Provisional Orders and Private Bills. Each of the cases had been investigated upon its merits by the same Select Committee. That Committee had decided, first of all, that certain regulations should be introduced in all cases in which steam power was to be allowed; and, secondly, it had decided to recommend that in the case of each individual Bill, it was a proper case for the application of steam. It was obvious that if they were to allow steam power to be used, it was impossible not to allow it in cases where the same state of things prevailed. Of course, each case must necessarily be examined on its merits. As to what the particular merits of that Bill might be, he had no knowledge at all, except that the Committee had recommended the House to pass it. The merits of the case did not, however, attract much attention in the discussion; but the discussion had rather turned upon the question whether steam power was to be used at all. If it were to be used, it must be used under regulations. Regulations had been prepared by the Committee, which had paid great attention to the subject. These regulations were inserted to prevent danger, and they went, as far as possible, to mitigate any inconvenience which was likely to arise to the public. They also laid down further restrictions, and gave power to the public and to the local authorities to appeal for further protection to the Board of Trade. If it were necessary to give further powers, he imagined they might easily be given. He apprehended there would be no difficulty in making further regulations; and, considering the care with which the subject had been investigated by the Committee, he thought it only reasonable that the House should adopt the conclusions of the Committee.

LORD ELCHO said, that before the House went to a division, he should like to put a question. It was said that in regard to those who travelled by these tramways, the use of steam would probably cheapen the fares and facilitate the convenience to the public. The question he wished to put had reference, however, to the people who did not travel by them, but who were likely to be injured by them. In the 21st clause of the Bill, it was provided that securities for the protection and convenience of the public should be laid down by the Board of Trade, and the clause made reference to Schedule A, in which the securities were tabulated. The House had been told that the Committee had come to the conclusion that in principle it was desirable that the use of steam should be permitted, instead of horse power upon tramways, provided that due securities were taken for the protection of the public. He wished to ask the hon. Gentleman the Member for Warwick, whether, looking at the Bill as it now stood, his opinion as Chairman of the Committee was, that the securities now embodied in the Bill were such as the Committee intended the public should have, and were sufficient for the security of the public who did not travel by tramways?

MR. ARTHUR PEEL remarked, that if he were in Order in replying to the question of the noble Lord, he would say that the Committee very carefully considered the mechanical appliances that were to provide safeguards for the protection of the public; and they took as their text some regulations which had already been drawn up by the Board of Trade. They examined the regulations on their merits, and had adopted some and modified others. Certain suggestions which were made to the Committee were rejected, on the ground that they were unnecessary or were deemed to be dangerous, because they would tend to confuse the driver, and to take off from him the responsibility which should properly attach to him. Then, again, other suggestions were rejected, because they were such as mechanical science had not perfected; and therefore it was considered that the present was not the time for insisting upon them. Powers were, however, given to the Board of Trade to make fresh bye-laws from time to time in regard to these mechanical appliances, if they should consider alterations or additional regulations to be necessary; and the bye-laws, so made, would apply to every Private Bill and every Provisional Order.

Lord ELCHO said, the point he had raised was, whether the Bill would give security to the public?

Mr. ARTHUR PEEL said, the securities taken were, in his opinion, sufficient.

Mr. MAC IVER was of opinion that the Bill ought not to be passed until ample securities were provided for the protection of the public.

Mr. GRAY trusted, that if the House did not think fit to pass the Bill, the proposal for adjourning the consideration of the question would be agreed to; because it would be a great injustice to the promoters of these six Bills, which were introduced at the beginning of the Session, to reject them after they had been affirmed by the Select Committee. He understood that these were the only Tramway Bills which contained powers for the use of steam; and he had no doubt whatever that the promoters would be ready to strike out, if it were necessary, all the provisions relating to the use of steam, rather than lose the entire measure. The Motion now proposed by the hon. and gallant Baronet the Member for West Sussex (Sir Walter B. Barttelot) was to reject the Bills entirely. He (Mr. Gray) thought that would be unjust and unwise. Tramways were very much desired by the public, and, even with the clauses relating to steam struck out, the Bills now before the House would be very useful. The sweeping proposition of the hon. and gallant Member for West Sussex would, therefore, not only be a terrible injustice to the promoters, but would occasion great inconvenience to the public. All that discussion would have been avoided, if the Government had taken a bolder course in reference to the matter. Last year the Government introduced a Bill dealing with the question of the use of steam on tramways, and why they had not again introduced it this year he (Mr. Gray) was at a loss to know. It would have been far better for the Government to have taken up the question as proposed last year, instead of leaving it to be settled by a Select Committee upon a Private Bill.

Mr. PULESTON thought it would be hard that these Bills should be rejected merely because they contained provisions for the use of steam power. He had authority from the persons who represented the promoters of two of the Bills to say that they did not value at all the provisions for the use of steam power in proportion to the passing of the rest of their measures. He would, therefore, if in Order, move that the Bill be re-committed, with the view of allowing the matter to be reconsidered.

Mr. SPEAKER: There is already an Amendment before the House, and no other Amendment can be moved until that has been disposed of.

Mr. PULESTON asked, if he would be in Order in moving that the debate be adjourned?

Mr. SPEAKER: The hon. Member has exhausted his right to speak upon the Question.

Sir JOSEPH M'KENNA moved the adjournment of the debate.

Mr. DELAHUNTY seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Sir Joseph M'Kenna.*)

Mr. RAIKES hoped the hon. Member for Youghal (Sir Joseph M'Kenna), who had moved the adjournment of the debate, would not persevere with that Motion. The matter had now received very full consideration at the hands of the House, and it was hardly to be expected that a greater amount of information would be supplied in any future debate than they had already before them. He (Mr. Raikes) had not intended to take any part in the debate, because he thought the course taken by the Select Committee had been sufficiently vindicated by the hon. Member for Warwick (Mr. A. Peel). Whatever his (Mr. Raikes's) opinion might be in regard to the abstract question, he could not help feeling that the matter had been carefully investigated by the Committee. He spoke himself as one who was not altogether in love with the use of locomotives or steam power on the public roads. He viewed with dissatisfaction and some distrust the course taken by the Legislature of late years in allowing engines of this sort to perambulate the public roads; but, in regard to these particular Bills, he thought the House at that time was dealing too late with the question. This discussion should have been raised at the proper time, inasmuch as the objections taken by the hon. and gallant Member for West Sussex and the hon. Member for Glamorganshire were second reading objections, and not objections which applied to the third reading. When the matter was brought before the House in the first instance—and he (Mr. Raikes) had called attention to these Bills as early as the 8th of February in the present year—that was the proper time for raising the question. He was bound to say that it would be very hard upon the promoters of these particular Bills, that, because the House had suddenly changed its mind, they should suffer for what was not their own fault. It appeared to him—although he did not concur in all the recommendations of the Select Committee, and although he should watch with some little interest and some little doubt the result of the experiment now proposed—it appeared to him that they would be doing an injustice to the suitors to Parliament if they were to refuse to read these Bills a third time. Under these circumstances, he trusted the hon. Member for Youghal would not persevere with his Motion; but that the House would be allowed to come to a conclusion upon the Aberdeen Bill, which might facilitate the progress of the other measures. He reminded the House that the Bills would still have to go to the House of Lords, and that the principle involved in them might be raised there.

Sir JOSEPH M'KENNA said, that under those circumstances, so ably pointed out by the hon. Gentleman the Chairman of Committees, he would ask leave of the House to withdraw his Motion.

Motion, by leave, *withdrawn.*

Question again proposed, "That the word 'now' stand part of the Question."

Mr. PARNELL wished to ask a question before the House came to a division. The hon. Member for Tipperary (Mr. Gray) had pointed out to the House that last year the Government proposed a Tramway Bill which was not proceeded with, but referred to a Select Committee, which Committee had since reported. He wished to know if the Government had any intention of considering the whole question of the use of steam power on tramways, and of initiating legislation upon the subject; or, whether they proposed to leave it to individual tramway companies to include provisions of this nature in their applications to Parliament? He was desirous of pointing out to the Chancellor of the Exchequer, that the course of the House would be very much simplified if the Government would grapple with the subject by independent legislation of their own. There would then be no necessity for continual discussions on the subject of motive power on tramways, whenever Bills of this kind came on for consideration.

Mr. DELAHUNTY did not think that the powers now asked for by private companies of using steam power upon the public roads had been sufficiently considered, and the Bill ought not to pass the third reading until the clauses relating to steam were removed from it. The Bill would be very easily disposed of if these clauses were taken away. He gathered from the discussion which had taken place that the public were asked to give up half the road to private companies, and, in addition, to allow steam engines to run upon the roads, which would have the effect of depriving the public of the entire use of the road in any instance. He fully endorsed what the hon. Member for Glamorganshire (Mr. Hussey Vivian) had said—that by allowing steam tramways to be used upon the public road, they actually made a present of the road to the tramway company. If, then, there were to be a steam tramway upon a public road, he thought it ought to belong to the road authorities, and the Government should give power to the local authorities to establish steam tramways wherever it was considered necessary. He was in favour of having tramways and railroads in all directions, but he thought that the tramways on the public roads should be under the control of the local authorities. Under these circumstances, and being of opinion that these tramway Bills should be postponed until proper provision was made for the protection of the public, he would move that the debate be adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Delahunty.*)

VISCOUNT SANDON stated, that he was not responsible for any legislation which had taken place upon the question, either last Session or in the present; but, in answer to the question which had been put by the hon. Member opposite (Mr. Parnell), he must say that as far as the Government were concerned they did not see at the present moment any necessity for general legislation upon the question. Of course, it would be necessary for the House to consider the matter carefully. He believed, however, that it been very carefully inquired into by the Select Committee, and the reasons they gave for affirming these Bills were so strong as to make it right not to oppose the decision to which they had arrived. That was the position which the Government assumed, and he hoped the House would be satisfied that there had been no haste in the matter. The subject had been fully investigated, not only by the Committee which sat this year, but by a Committee which sat all through last year, and which reported in favour of authorizing the use of steam on tramways.

MR. BIGGAR thought it would be well to adjourn the consideration of these Bills, so as to give an opportunity for striking out the steam clauses rather than sacrifice the whole measure. The Committee who investigated the subject had reported that it was desirable that steam tramways, under certain restrictions, should be permitted; but the House did not know whether or not these particular conditions applied to the Bill now before them. Of that they had no evidence whatever. Another question also arose—namely, to what extent the Committee which sat upon these Bills were informed of the real facts of the case? He was one who thought that the evidence adduced by the promoters of the Bills was not likely to be thoroughly impartial. The promoters, no doubt, made out the best case they could, and any evidence they tendered would be that of parties who were settled with outside before the matter came on for decision. For these reasons, he thought it desirable that a general Act should be brought in by the Government, which should apply to the whole question, and upon which there might be a full opportunity for discussion. He thought the best course would be to adjourn the debate.

Question put, and *negatived.*

Question put, "That the word 'now' stand part of the Question."

The House *divided:*—Ayes 216; Noes 119: Majority 97.—(Div. List, No. 173.)

On Question, "That the Bill be now read the third time?"

MR. NEWDEGATE said, he understood that the House had now divided in favour of the third reading of the Blll. It appeared to him that, on the part of a large number of hon. Members, there was a very serious doubt as to whether the steam clauses imported into the Bill, and which involved a most important principle, had been sufficiently considered. It was thought right to bring under the notice of the Government the propriety of giving further powers to the Board of Trade for the regulation of tramways. He was strongly of opinion that the question of authorizing the use of steam on tramways ought to be further considered. He would, therefore, move that the Bill be re-committed, with a view to the further consideration of the clauses which gave the power of working these tramways by steam.

MR. SPEAKER: I wish to point out to the hon. Member that, after the vote of the House upon the Amendment moved by the hon. and gallant Member for West Sussex, no other Amendment can be moved. The Question I have now to put is, that the Bill be now read the third time.

Question put, and *agreed to.*

Bill read the third time, and *passed.*

QUESTIONS.

ENDOWED SCHOOL COMMISSIONERS—EDUCATIONAL ENDOWMENTS.

QUESTION.

Mr. RATHBONE asked the Vice President of the Committee of Council on Education, Whether, having regard to the 12th section of "The Endowed Schools Act, 1869," which directs that

> "in framing schemes under this Act provision shall be made so far as conveniently may be for extending to girls the benefits of endowments,"

he can inform the House how far the Commissioners have been able to give effect to that direction; and, whether he will lay upon the Table of the House a tabulated statement of the Schemes in which such provision has been made?

Lord GEORGE HAMILTON: Sir, the Endowed Schools Commissioners have not lost sight of the section referred to, nor of the intention of Parliament in passing it. They have, however, found the same practical difficulty in giving full effect to it experienced by their Predecessors, and alluded to in their Report of December, 1876. The results, though falling short of what could be wished, are not in themselves inconsiderable, but could hardly be stated within the limits of a Parliamentary answer. A tabular statement, such as is asked for, could only be given after considerable trouble and research; but if the hon. Gentleman will confer with me, I shall be glad to go as far as I can in giving him all necessary information.

POST OFFICE (IRELAND)—CASE OF MR. JOHN DALY.—QUESTION.

Mr. GRAY asked the Postmaster General, Whether his attention has been called to the case of Mr. John Daly, late travelling clerk in the Irish Post Office Service, who was compulsorily retired subsequent to an accident to a train in which he was travelling; whether his attention has been called to the evidence given by the medical doctor to the Post Office, Dr. Toler, on the occasion of a suit for compensation instituted by Mr. Daly against the Railway Company to the effect that he was suffering from "mental derangement," which was completely disproved on the trial, and disbelieved by the jury; whether his attention has been called to the evidence given by the same gentleman, in the cases of Crowford, Darby, and Hilliard, who at various times took proceedings for compensation for injury by Railway accidents, and which referred their sufferings to totally different causes from those testified by the qualified medical witnesses who had attended them; and, whether he will cause independent inquiry to be made in the case of Daly, with a view to remedying any injustice which it may appear has been done him?

Lord JOHN MANNERS: Sir, my attention has been called to the case of John Daly, a sorter in the Irish Post Office Service; but I may say, without going into the details of the result of the inquiry that has been held, that Daly's conduct and the letters he has addressed to headquarters tend strongly to confirm the view that has been taken by Dr. Toler, and I have no reason to believe that injustice has been done, or that any advantage would be gained by further investigation. With regard to the other cases in which Crawford, Darby, and Hilliard have from time to time taken or threatened proceedings against railway companies for alleged injuries, my attention has also been called to them, and I see no reason to doubt that the opinion expressed by Dr. Toler was correct.

Mr. GRAY, in consequence of the answer he had received, gave Notice of his intention to call attention to this matter at the earliest opportunity.

LAW AND JUSTICE—ASSIZES AND QUARTER SESSIONS.—QUESTION.

Mr. WILLIAMS WYNN asked the Secretary of State for the Home Department, If his attention has been called to the fact that certain Assizes have been already fixed by the Judges for the week during which the Quarter Sessions are by Act of Parliament directed to be held which will prevent those Sessions being held upon their accustomed days in that week, and to the inconvenience that will thus be caused to the magistrates, counsel, and jurors; and, if he will be prepared, by a short Act of Parliament, to extend the operation of the Act 4 and 5 Will. 4, c. 47, to the Midsummer Sessions?

MR. ASSHETON CROSS, in reply, said, he was aware that it had happened in more cases than one that certain Assizes had been fixed by the Judges for the week in which the Quarter Sessions were held under the provisions of an Act of Parliament, and this, no doubt, led to some inconvenience. A Committee of Judges, together with the Lord Chancellor and himself, had been considering the subject, with a view to make arrangements for the future, by which the inconvenience which had thus been occasioned would be avoided; and it was not worth while, therefore, to bring in a Bill that Session.

INDIA — THE JOWAKI AFREEDIS EXPEDITION.—QUESTION.

MR. HERSCHELL asked the Under Secretary of State for India, Whether the Despatches relating to the military proceedings against the Jowaki Afreedis have been forwarded by the Governor General to this Country; and, if not, whether he can explain the cause of the delay?

MR. E. STANHOPE, in reply, said, that the despatches referring to the subject had been received.

ARMY — AUXILIARY FORCES — THE MILITIA—FINES FOR DRUNKENNESS.

QUESTION.

MAJOR O'BEIRNE asked the Secretary of State for War, What decision has been come to with regard to the disposal of the amount annually derived from fines for drunkenness in Militia regiments, which it was stated last Session would be referred to a Departmental Committee, and whether that Committee will shortly make their report?

COLONEL STANLEY, in reply, said, that the Departmental Committee to whom the question had been referred had made their Report, and that their recommendations on the subject had been forwarded to the Treasury, with whose approval he hoped they would meet.

EDUCATION DEPARTMENT—THE FINANCIAL STATEMENT.—QUESTION.

SIR UGHTRED KAY-SHUTTLEWORTH asked the Vice President of the Committee of Council on Education, Whether he can name the day on which he will move the Education Votes in Committee of Supply?

LORD GEORGE HAMILTON, in reply, said, he was afraid he could not name the exact day, but would endeavour to inform the hon. Gentleman as early as possible when those Votes would be brought on.

PHYSICAL COMPETITION FOR THE ARMY.—QUESTION.

SIR UGHTRED KAY-SHUTTLEWORTH asked the Secretary of State for War, Whether he intends to lay upon the Table the Report of the Joint Committee of the War Office of the Civil Service Commissioners appointed to consider the question, whether the present literary examinations for the Army should be supplemented by physical competition?

COLONEL STANLEY, in reply, said, he had no objection to lay upon the Table of the House the Report referred to. In doing so, however, it must be understood that it was without prejudice to any action that might, or might not, be taken upon it.

TRAMWAYS—MECHANICAL POWER.

QUESTION.

COLONEL BEAUMONT asked the President of the Board of Trade, Whether he is empowered to grant licences for the experimental use of steam or other mechanical power on Tramways, in accordance with paragraph 8 of the Report of the Select Committee on Tramways (Use of Mechanical Power) Bills; and, if not, whether the Government will bring in a Bill authorizing the Board of Trade to place all Tramway Companies on the same footing, whether they have or have not applied during the present Session of Parliament for Confirmation of Provisional Orders?

VISCOUNT SANDON: Sir, I have no power to grant licences for the experimental use of steam or other mechanical power on tramways; and after what has passed on the subject in the House to-day, I think the hon. and gallant Gentleman will agree with me that, supposing we considered general legislation desirable, it would be almost impossible for me to pass a Bill at this period of the Session.

ARMY—AUXILIARY FORCES—YEOMANRY SERGEANT MAJORS.

QUESTION.

CAPTAIN **MILNE-HOME** asked the Secretary of State for War, What scale of pensions or compensation will be given to those Sergeant Majors in regiments of Yeomanry Cavalry who have acted as Adjutants, Quartermasters, and Paymasters, and who must shortly be superseded by officers on full pay from the Army?

COLONEL **STANLEY**, in reply, said, that no scale of pensions was laid down for the rank and file; but, inasmuch as it had been brought to his knowledge that some of those non-commissioned officers had been performing duties which ought to be discharged by officers of a higher rank, they would be superseded, and it was his intention to apply for special allowances for them. Otherwise they would receive only 3*s.* 3*d.* a-day.

THE CHARITY COMMISSION—NORTH SUNDERLAND HARBOUR.

QUESTION.

GENERAL SIR **GEORGE BALFOUR** asked the Vice President of the Council as representing the Charity Commissioners, Whether any application has been made by the trustees of the Crewe Estate to sanction the appropriation of surplus funds of that trust for the improvement of the "North Sunderland Harbour;" and, if so, what reply has been given, and, if favourable, what amount is authorized to be spent on the improvement?

LORD **GEORGE HAMILTON**, in reply, said, that there had been some correspondence, but it was not yet concluded, between the Charity Commissioners and the trustees of the Charity to which he believed the Question had reference. The Charity Commissioners had informed the trustees that they were prepared to advise the appropriation of the surplus funds in question for the improvement of North Sunderland Harbour, as soon as they had been furnished by the trustees with professional opinion upon the expenditure involved, the means of meeting it, and the benefits which were likely to be derived from their application in that way.

NAVY—RE-ORGANIZATION OF THE DOCKYARDS—THE CLERKS.

QUESTION.

CAPTAIN **PRICE** asked the First Lord of the Admiralty, When the re-organization of the clerical staff of the dockyards is likely to be proceeded with; and, whether, pending such re-organisation, the Admiralty will follow the precedent established by them in the case of the Admiralty clerks who in February last received an increase of pay as a preliminary to their re-organization?

MR. **W. H. SMITH**: Sir, the re-organization of the clerical staff of the Dockyards will be proceeded with as soon as the re-organization of the clerical staff in London is completed. The increase of salary given to the clerks in the Departments in London was given on special grounds, and not as a preliminary to the re-organization of the departments. I cannot hold out any prospect of a preliminary increase of the salaries of the clerks employed in the Dockyards, as the circumstances of the case are wholly dissimilar from that of the clerks of the Admiralty.

LOCAL COURTS OF BANKRUPTCY (IRELAND) BILL.—QUESTION.

MR. **J. P. CORRY** asked Mr. Attorney General for Ireland, Whether he can name the day on which he will proceed with the Local Courts of Bankruptcy (Ireland) Bill?

THE **ATTORNEY GENERAL** FOR **IRELAND** (Mr. GIBSON): In the present state of the Public Business, Sir, I cannot name a day for proceeding with the Bill in question; but I shall take the earliest opportunity that may be afforded me of doing so.

MERCHANT SEAMEN BILL — THE SELECT COMMITTEE.—QUESTIONS.

CAPTAIN **PIM** asked the President of the Board of Trade, If he would state why the Petition of the British Seamen's Society referred to the Select Committee on the Merchant Shipping Bill by this House has not been printed with the Minutes of Evidence taken before that Committee, and why the evidence of one seaman only representing the interests of that class has been taken before that Committee?

VISCOUNT SANDON: Sir, I was not a Member of the Select Committee on the Merchant Seamen Bill, and the arrangements respecting the evidence, I believe, were made by the Chairman of the Committee, my noble Friend the former President of the Board of Trade, and in conjunction with the Members of the Committee. I regret, therefore, that I am unable to give him the information he desires.

MR. GOURLEY asked, If it is the intention of Her Majesty's Government to proceed this Session with the Amended Merchant Seamen Bill?

VISCOUNT SANDON: Sir, I have read carefully the volume of evidence taken by the Select Committee on the Merchant Seamen Bill, of which I was not a Member, and which was just concluding taking evidence when I became responsible for the Board of Trade. The evidence is of a very important character, both in its bearing upon the Bill, and also as raising very large questions connected with the Mercantile Marine Service; and it was, I find, only circulated on Saturday. It is obvious that, before we proceed further to legislate on the subject, those who are connected with the Mercantile Marine, both in Parliament and in the country, should have an opportunity of fully considering not only the Bill as it has left the Committee, but also the important evidence. And, as regards myself, I must frankly say that I am not prepared either to reject or to adopt many of the important suggestions made in it, without having had ample time to confer with others of large knowledge and experience respecting these matters, and to form my own independent judgment on the questions at issue. For these reasons alone, I think the House will agree with me that it is desirable to postpone the Bill to another Session. But, be this as it may, the Public Business on which Parliament is already engaged, and the short time left for the transaction of it, would make it impossible for me to hope to pass a measure of this importance at this late period of the Session.

ARMY—THE TYRONE FUSILIERS—RATIONS.—QUESTION.

MR. O'DONNELL asked the Secretary of State for War, Whether an officer of the Royal Tyrone Fusiliers in barracks at Omagh, who is also a grazier and dealer in live stock, having failed to sell in open market as fit for food a huge old sow no longer suitable for breeding purposes, succeeded in disposing of it to the meat contractor of his regiment; whether the meat contractor was permitted to supply the flesh of the animal as pork to the men of the Tyrone Fusiliers at the full contract price for good meat; whether some of the men did refuse to receive this pork at all, and whether the remainder did not throw it away as unfit for human use; whether it is not the case that the same officer has been already subject of complaint for his action towards the sergeants of the staff of the regiment in requiring them to supply themselves with meat from butchers designated by him; whether the officer in question is not a near relative of the colonel commanding the regiment; and, whether Government will institute a full inquiry into all the circumstances?

COLONEL STANLEY, in reply, said, the Question of the hon. Member was amusingly put; but, nevertheless, it conveyed a somewhat serious imputation. The hon. Member had asked him a Question in reference to the matter at two hours' Notice on the last morning before the Whitsuntide Recess. He (Colonel Stanley) telegraphed to Ireland, and though the answer was not received before the hon. Member put his Question, it was received before the House adjourned, and the substance of it was immediately communicated to him. The allegation was distinctly denied. It was stated that there was no complaint whatever, and no appearance of discontent. Before the House adjourned, he asked the hon. Member to give his authority for the statement he had made, in order that he might follow the matter up. The hon. Gentleman had not, however, thought fit to comply with that request up to the present time. After waiting some days, he desired a letter to the same effect to be addressed to him, but to that letter he had received no reply. He would have no objection to institute inquiry into the case, when there was *primâ facie* evidence sufficient to justify him in doing so; but until then, he would not, of course, take any notice of the matter.

Mr. O'DONNELL said, that to put himself in Order he would conclude by moving the adjournment of the House. The right hon. and gallant Gentleman had, in his *résumé* of the conversation which had occurred between them, forgotten to mention one essential point—that he had told him that among his informants were soldiers of the Militia regiment in question. He had since, he might add, made further inquiries, and had received more letters, not only from soldiers, but from inhabitants of the town, and he should be happy to place these in the hands of the right hon. and gallant Gentleman, if he would satisfy him that the persons who had thus written to him as a Member of Parliament would not suffer—["Oh, oh!"]—from any disciplinary measure in consequence. This was not a mere condition of his own. The persons who had written to him requested their names should be kept secret; but they asked for an investigation, and they stated that, if the Government chose, they could find plenty of evidence on the spot.

Mr. MACARTNEY hoped the House would allow him to state what were the real facts of the case.

Mr. SPEAKER: I beg to remind the hon. Member that he is not in Order, as there is no Motion before the House. The hon. Member for Dungarvan has not concluded with any Motion.

Mr. MACARTNEY: The hon. Member for Dungarvan said he would conclude with a Motion; but he did not do so.

Mr. O'DONNELL: I beg to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. O'Donnell.*)

Mr. MACARTNEY again rose. He said, he would not have intruded on the House with this question, but he had received a letter from his son, who was the officer of the regiment who examined the rations on the day in question.

Mr. SPEAKER: The hon. Member is proceeding to the discussion of a Question; but there is no Question before the House.

Mr. MACARTNEY understood that the hon. Member for Dungarvan had moved the adjournment of the House. If he was not in Order, he would sit down; if he was, he would go on.

Mr. SPEAKER repeated that there was no Question before the House.

Mr. MACARTNEY said, in that case, he would beg to second the Motion. He had received a letter from his son, in which he stated that the contractor was entitled to issue pork rations twice a-week, but that the men were not compelled to take them, and could obtain beef rations instead. On the day in question four pork rations were refused, and beef rations were issued in their place. One man refused the ration of beef because it was too bony, and another ration was given to him, about which he made no complaint whatever. He believed this was the origin of the complaint brought forward by the hon. Member.

Motion, by leave, *withdrawn.*

QUEEN'S COLLEGES (IRELAND)—THE ESTIMATES.—QUESTION.

Major NOLAN asked Mr. Chancellor of the Exchequer, When the Queen's College Estimates will be proposed?

The CHANCELLOR of the EXCHEQUER: Sir, I am not able at this moment to name a day for taking the Queen's College Estimates. I think it will be convenient that the Bill relating to Intermediate Education in Ireland should be introduced in the other House first; and that, I hope, may be done soon—possibly, in the present week. After that proceeding, I shall probably be in a position to state when the Estimates in question can be taken.

TURKEY—THE MURDER OF MR. OGLE.

QUESTION.

Mr. H. SAMUELSON asked Mr. Chancellor of the Exchequer, What is the result of Mr. Consul General Fawcett's inquiry into the murder of the late Mr. Charles Ogle in Thessaly; and, whether the Government intend to institute a fresh inquiry?

The CHANCELLOR of the EXCHEQUER said, it would be more convenient that the Under Secretary of State for Foreign Affairs should answer the Question.

MR. BOURKE observed, that the hon. Member had added to the Question since he gave Notice of it.

MR. H. SAMUELSON said, he could explain his reason for doing so. He had put a series of Questions to the Chancellor of the Exchequer late on Friday night, and he understood that the right hon. Gentleman himself was to give him an answer that day. He thought there were to be no more technical objections on the part of the Foreign Office.

MR. BOURKE said, he wished to state that there was no desire on the part of the Foreign Office to delay the production of these Papers; but, on the contrary, they were extremely anxious that they should be produced, and he could not understand why the hon. Member should be under the impression that there was a desire on the part of the Foreign Office to keep them back. When the House saw the Papers, they would be of opinion that no unnecessary delay had arisen in producing them. The fact was that the Papers were only received about three weeks ago. They extended over 62 pages of the Parliamentary Blue Book, and many of the documents being in the Turkish and Greek languages, there had been some little difficulty experienced in getting them translated. When Papers left the Foreign Office, that Department was not responsible for any delay that occurred, but the printers. Delays had taken place in consequence of the unfortunate printers taking a holiday for a day or two at Whitsuntide, and from its being necessary to have a sketch made to accompany the Papers. He was happy to say that 25 copies were at that time in the Vote Office, containing all the information that it was possible to give with regard to this lamentable affair. The result of the inquiry was contained in the long Report which Mr. Consul General Fawcett had sent home, and it would be more satisfactory that hon. Members should themselves refer to it. As the hon. Member had not seen the Report, it was rather premature in him to ask whether the Government intended to institute a fresh inquiry.

MR. H. SAMUELSON gave Notice that he would take an early opportunity of calling attention to the subject, and moving a Resolution.

THE EASTERN QUESTION — THE AGREEMENT BETWEEN ENGLAND AND RUSSIA.—QUESTIONS.

THE MARQUESS OF HARTINGTON: Sir, I wish to ask Mr. Chancellor of the Exchequer, Whether he is now able to confirm, or to deny, the authenticity of the document which appeared in "The Globe" newspaper last week, purporting to be the copy of a preliminary arrangement come to between England and Russia with reference to the modification of the Treaty of San Stefano; and I beg further to ask him, whether, in the event of that document being authentic, he expects to be able shortly—or, at all events, before the conclusion of the Congress — to lay Papers upon the Table of the House, or to make any statement explanatory of that paragraph which referred to the special duty which would henceforth rest upon England of protecting the Ottoman Empire in Asia from the danger of the extension of Russian conquests in that direction?

LORD ROBERT MONTAGU: Before the right hon. Gentleman answers the Question of the noble Lord, I may, perhaps, ask him another Question, of which I have given him private Notice — namely, Whether any other agreement has been signed between England and any other Power, or between Russia and any other Power, relating to the Conference; and, if so, whether he can state the nature of such agreements?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I hope the House will not believe that it is from any indisposition to give a frank and plain answer, that I am compelled to give one of a restricted nature. The Paper, to which reference has been made, has evidently been obtained by some person who has had access to confidential communications; and, as far as Her Majesty's Government are concerned, is not only unauthorized, but surreptitious, and, as a statement of their policy, it is incomplete, and, therefore, inaccurate. With reference to the Question of the noble Lord the Member for Westmeath (Lord Robert Montagu), I can only say that, at the earliest proper moment, the Government will be prepared to give the fullest information to Parliament; but they must, in the meantime, appeal to Parliament to support them in not answering particular Questions on the subject unnecessarily.

PARLIAMENT—BUSINESS OF THE HOUSE.—QUESTIONS.

In answer to Mr. Chaplin,

The CHANCELLOR of the EXCHEQUER said, that on Tuesday he would be able to fix the day for the discussion of the Cattle Plague Bill, and that on Thursday further Estimates would be taken in connection with the Army.

Mr. W. HOLMS: I wish to ask the Chancellor of the Exchequer a Question, of which I have given him private Notice—Whether, looking to the importance of the Motion of which I have given Notice for to-morrow night, and which asks for the appointment of a Select Committee in regard to the Established Church in Scotland, whether he will allow the discussion on that subject to be taken at the early Sitting to-morrow? It may be in the recollection of the right hon. Baronet that I gave way, and did not bring forward my Resolution on a previous occasion, in order to allow the debate to proceed on the moving of the Indian troops to Malta. I balloted for another day, and, having got the first place for to-morrow night, I think I have some claim on the Government. In the event of the Chancellor of the Exchequer not seeing his way to give me the Morning Sitting, I would ask him to use his endeavours to make a House in the evening.

The CHANCELLOR of the EXCHEQUER: The Government are well aware of the importance of the question the hon. Gentleman is about to raise, and they are also aware that he kindly gave way to allow an adjourned debate to proceed. Therefore, he can rest assured the Government will do all in their power to obtain for him a good audience; and, as the Morning Sitting will be devoted to an important Scotch matter, no doubt a good number of Members will be present.

Mr. ONSLOW asked Mr. Chancellor of the Exchequer, Whether the Government intended to stop the ordinary Business of the House before 12.30, in order to give facilities for the progress of the Sale of Intoxicating Liquors on Sunday (Ireland) Bill?

The CHANCELLOR of the EXCHEQUER: It is not in our power to stop the progress of the ordinary Business.

Mr. MAC IVER gave Notice that in consequence of the answer of the President of the Board of Trade to the hon. Member for Sunderland (Mr. Gourley), he would take an early opportunity of bringing forward his Motion on the subject of Merchant Seamen. He was afraid there would not be time this Session, but he would take the first opportunity next Session.

THE "NINETEENTH CENTURY"—THE ARTICLE ON LIBERTY IN THE EAST AND WEST—(MR. GLADSTONE)—MR. HANBURY'S MOTION.

QUESTION. OBSERVATIONS.

Sir WALTER B. BARTTELOT: I wish, Sir, to put a Question to the hon. Member for North Staffordshire (Mr. Hanbury), of which I have given him private Notice. I am sure that it must be his own opinion, and I am sure it must also be the opinion of the right hon. Gentleman the Member for Greenwich, that, at a time when the Congress is sitting, the Motion of which the hon. Member has given Notice would be very inopportune. I, therefore ask him, Whether it is not his intention to withdraw it?

Mr. HANBURY: Sir, I am glad that my hon. and gallant Friend has asked me this Question, because I wish to state frankly to the House the course I intend to take. It is quite clear that a Motion of this kind is one that ought to be pressed forward for discussion at the earliest opportunity; and, at the same time, it is one that ought not only to be discussed, but ought also to be put to the fair test of a division and a vote. But, even now, this Notice stands only ninth on the Paper, and I have had no opportunity of bringing it forward; and I, as yet, fear that to-night, and even on Thursday, I may be again prevented. I am as anxious as I ever was to discuss the issue which I have chosen to raise by it. ["Oh, oh!"] It is usual in this House to believe the word of an hon. Member. I repeat, that I am still as anxious as I ever was to raise that question; but, at the same time, I cannot be blind to the fact that my wish is not supported by the Government, and that a large number of hon. Members are opposed to it on this side of the House. It is felt—and felt, I must admit, with some justice—that a time like this, when an European Congress has just commenced its sittings, is, perhaps, the worst time possible for carrying on a discussion of this kind, in which very large in questions affecting both our foreign and our Indian policy will be raised. Even since I gave Notice of my Motion I may remind the House that an Amendment has been put down on the Paper by the hon. Member for Dungarvan (Mr. O'Donnell), which shows the very wide, and it may be even the mischievous, issues that may be raised. Sorry as I am to withdraw a Motion of this kind—because I feel the act is liable to misrepresentation, and feeling that it is no light thing to bring such a complaint against such a speaker, at the same time I do not think I should be justified, in the face of the feeling against this Motion which has been growing, and which has certainly grown largely since it was received with cheers by this House. I should not be justified in proceeding with a Motion of this description, which might not only exaggerate differences at home, but would do that which I earnestly wish to avoid—namely, the spreading in India of a knowledge of the very language to which the Motion refers, and which I am anxious to condemn. Even, with all these reasons, I should not feel justified in withdrawing a Motion of this kind, involving a very grave complaint against a very important Member of this House; but I would ask the House to remember, that in the very terms of my Notice of that complaint, I have produced the evidence on which I rest the charge. ["Order, order!"]

MR. SPEAKER intimated to the hon. Member that he must keep within the limits of an answer to the Question which had been put to him. He was not entitled to enter on a discussion as to the merits of the Motion.

MR. HANBURY: I do not wish to go beyond the fair limits of debate, and will only further say that, with the permission of the House, I will be glad to withdraw my Motion.

MR. GLADSTONE: I wish, Sir, to take my stand on an appeal to the indulgence of the House, and to avoid making one of those Motions for the adjournment of the House, which are certainly inconvenient on account of their interfering with the course of Public Business. But the circumstances of this case are peculiar. A transaction, entirely unknown to me until I heard it a few minutes ago in common with other hon. Gentlemen in this House, has passed between the hon. and gallant Baronet opposite (Sir Walter B. Barttelot) and the hon. Member who has just sat down, and I think that the House may feel that they are entitled to know from me whether I challenge the resolution of the hon. Gentleman to withdraw the Motion of which he gave Notice; or, if I acquiesce in that resolution, why I acquiesce in it, seeing that the hon. Gentleman has made an appeal to the House for their permission to do that which, so far as I am aware, he was entitled to do without any permission whatever. I believe that as he was master enough to give this Notice, and to use what I presume he would call his discretion in giving it, so he is likewise master enough to withdraw it. But it is difficult for me to listen in silence to the statement of the hon. and gallant Baronet that he thinks I myself must feel that the Motion ought to be withdrawn, because the Congress is sitting, and to the statement of the hon. Gentleman, who says that he feels it would be inconvenient and injurious that this Motion should be discussed, and that he likewise finds that it is opposed to the general sense of the House. No doubt, Sir, there are strong reasons why the hon. Gentleman should not proceed with the Motion, which I think the hon. Gentleman might have taken into his view at an earlier period. The hon. Gentleman gave his Notice deliberately, and, as I am informed—for I was absent, and I was not made aware by him that any Notice was about to be given—as I am informed, and as he states, it was given amid cheers, which he calls the cheers of the House, and which I am told certainly were the rather animated cheers of a portion of this House, who appeared to have sympathized with, and to have joined their counsels with those of the hon. Gentleman, and from their collective wisdom to have produced this Notice. Now, it appears to me that no such Notice ought to be given unless in circumstances in which it can be persevered with. As long as it is a mere Notice, it is not within the jurisdiction of anyone except the person who gives it. I except, of course, those peculiar circumstances in which you, Sir, as the organ of the House, see ground for objecting to the retention of a Notice on the

Notice Paper; and I cannot too strongly state that I feel how wisely, Sir, you have acted in taking no such objection in the present case. The Notice, then, stood on the Notice Paper; and, in my opinion, such a Notice, which is virtually a Notice for the expulsion of a Member of this House, not in form but virtually—and which can have no other possible result—such a Notice, I say, ought not to be given except with the firmest intention to persevere with it. The argument that it is difficult to find a night, and that it cannot come on on Monday, and probably cannot come on on Thursday, is an argument which, if it has any force at all, must have been fully in the view of the hon. Member at the time when he gave his Notice. Sir, I do not consider myself to be very greatly concerned in the Notice. It appears to me to be very much more, indeed, a matter between the hon. Member and the House than it is between him and me. If the hon. Member had made his Motion, the House would then have had jurisdiction over it, and the House would have had the power of considering whether, in respect to this proceeding of the hon. Member, it should take a course similar to that which was taken almost with unanimity on a very similar proceeding 40 years ago. But, Sir, he does not make that Motion, and I do not intend to challenge him to make that Motion. It is for the House to consider whether he should be challenged to do so. I, for my part, do not intend to challenge him to make it, and on this ground alone—that I think the general arguments in favour of going forward with a Motion of this kind are of a strength which cannot be overstated. But I own that after the description which it has pleased the hon. Gentleman to give of the article in which I have striven to do my duty as a loyal subject of the Crown—after that description has been attached to that article—I am by no means assured that a discussion upon the question would be for the public interest, I do not mean with reference to the Congress or anything that is going on in Europe. But I so far concur with the feeling which has, perhaps, prompted others, that, on the whole, I believe it might be best for the public interests connected with the topics to which the article was addressed, that if, in the circumstances of the case, the hon. Gentleman chooses not to persevere with his Notice, I should not assume the responsibility of challenging him to go on. In the circumstances, I do not intend to exercise any such right of challenge. I am in the hands of the House to move the adjournment or not. I do not mean to say more. I would have said less, but for what fell from the hon. Member, and the hon. and gallant Baronet who put this Question. I have no desire myself to prolong the discussion on the matter, and unless a wish be expressed for the adjournment of the House, I shall not move it.

ORDERS OF THE DAY.

EPPING FOREST BILL—[Bill 188.]

(*Sir Henry Selwin-Ibbetson, Mr. Noel.*)

SECOND READING.

Order for Second Reading read.

Mr. SHAW LEFEVRE said, the scheme proposed under this Bill would, on the whole, give great satisfaction to those persons who were interested in the preservation of Epping Forest. The arbitrator, to be appointed under the Bill, would have to determine what compensation should be given in respect of that part of the Forest which was some time ago wrongfully inclosed, and which would now be restored to the public. As many other questions would have to be decided by the arbitrator, it was hoped that the Government would state to the House who the arbitrator nominated by the Government would be. There were some objections to the Bill in points of detail. With regard to the constitution of the Board of Management, the Government were wise in confiding the preservation of the Forest mainly to the Corporation of the City of London, as they had shown a great interest, and taken an active part, in asserting the rights of the commoners. There were to be 12 members of the Corporation on the Committee of Management. He suggested the addition of two or three representatives of the East of London and other parts of the Metropolis that were specially interested in the preservation of the Forest. He held that the popular element should be represented on the Committee. It had been suggested that this might be done by the nomination of the hon. Members for the time being for Hackney and the Tower Hamlets, who might serve as *ex-officio* Members of the Committee. He also thought it not undesirable that some nominees of the Crown should be members of the Committee of Management. In saying that he did not wish to throw any doubt on the management of the Corporation of the City of London of the Forest. His only fear was, that they might do too much by attempting to convert the Forest into an ornamental park instead of simply preserving its natural beauty. He hoped the latter course would be adopted by the Committee. He objected to the method in which the Bill dealt with the rights of the inhabitants of Loughton. Many hon. Members of the House, he durst say, were aware that the inhabitants of Loughton had from time immemorial enjoyed the right of lopping trees of the Forest for firewood during the winter months. They believed they enjoyed that right through a grant of one of the Tudor Kings. They believed the grant was given on the condition that at midnight on every 11th of November they should perambulate the Forest and strike an axe into a particular tree. It certainly appeared that from time immemorial the inhabitants of Loughton had lopped trees upon a part of the Forest consisting of about 1,200 acres. The Bill proposed that the question of the validity of the right claimed by the inhabitants of Loughton should come before the arbitrator. The Epping Forest Commissioners had distinctly announced that this right existed, and, therefore, there could be no reason for putting the inhabitants to the great expense and possible risk of having their right decided upon by the arbitrator. Suppose the arbitrator decided that the custom or right existed, then the Bill provided that it should cease, and that compensation should be given to the inhabitants by means of an annual payment of money or by doles of fuel. That solution appeared to him to be a very unwise and unsatisfactory one. He ventured to suggest that the Bill should recognize the custom as it had existed from time immemorial, and that it should be left to the arbitrator to decide in what way that right should be exercised for the future; or if it were thought desirable that the custom or right should cease to exist, then that some compensation should be awarded by the arbitrator in a manner which might be clearly beneficial to the inhabitants of Loughton. He had to thank his hon. Friend opposite for bringing forward the Bill in this shape. He believed that, on the whole, it would give satisfaction to the people of London, and he ventured to hope that under this Bill the Forest of Epping would be restored to its original position as a forest containing something like 6,000 acres, instead of being curtailed to, say, about 3,000 acres—that, for generations to come, it would be left in its wild condition; that it would not be improved and ornamented, but be left as a forest in the widest sense.

Sir HENRY SELWIN-IBBETSON said, that, after the way in which the Bill had been received by the hon. Gentleman opposite, he did not think it was necessary for him to trespass long on the time of the House. He agreed that the settlement of this long-vexed question would confer benefit, not only on the inhabitants of the district itself, but upon the dense population of London. With regard to the arbitrator, the appointment would be one which would, no doubt, command the complete confidence of the House. The arbitrator had been chosen; but the Government could not, at present, name him, as he had not really consented to serve. However, he hoped to be able to give the name of the gentleman before the Bill passed through Committee. The hon. Member for Reading had expressed an anxiety that the Conservators would not attempt to turn the Forest into an ornamental park, and he entirely agreed with him upon the point; because, if the Conservators would content themselves with improving the drainage of the land and effecting certain similar improvements, the Forest would remain one of the most enjoyable bits of wild scenery in the neighbourhood of London. The hon. Member had referred to one or two points on which he differed from the framers of the Bill. In the first place, he did not altogether approve the constitution of the authority who were to be intrusted with the management of the Forest. The hon. Member had, however, acknowledged fairly enough that, after the efforts the Corporation of the City of London had made for the preservation of the Forest, they were entitled to be intrusted with a large share in the management of the property, especially as the Corporation would have to provide funds for the payment of those claims which might be established before the arbitrator. Another body of people, who were deeply interested in the maintenance of the Forest as a recreation ground, consisted of the inhabitants of the localities abutting on the land so devoted to the benefit of the public; and, in the opinion of the Government, they were entitled to be represented on the Board of Conservators by those whom they might elect. It was therefore provided that the Verderers would be eventually elected by the commoners generally. Difficulties would arise in making any Members of that House *ex-officio* members of that Board, and, in his opinion, the Corporation of London would take sufficient care of the interests of the population of the East of London. He thought, on the whole, that the Government had selected those to act as Conservators who would fairly represent the people interested in the proper management of the Forest. The interests and feelings of the Crown would be sufficiently represented by the Ranger. He trusted that the Bill would now be read a second time, in order that it might be referred to a Select Committee, and that the result of its coming into operation would be to preserve the Forest for the recreation of the public, and to add one more to the air-breathing spaces of London.

Mr. COWPER-TEMPLE said, he was glad to be able to give his cordial support to the Bill. It embodied the main purposes of the agitation which had been raised on the question, and, at the same time, treated with indulgence those persons who had acted illegally. He thought that the Corporation ought not to have so predominant a share in the management of the Forest; but that some persons representing the feeling of those portions of the Metropolis which were contiguous to the Forest should be added to the Verderer and the executive committee, in order to secure more of a balance of power and a fuller consideration of various tastes and interests. He hoped that that matter would be dealt with in Committee.

Bill read a second time, and *committed* to a Select Committee. Three to be nominated by the House, and two by the Committee of Selection.

VALUATION OF PROPERTY BILL.

[Bill 94.]

(*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer, Mr. Salt.*)

COMMITTEE. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [14th June], "That Mr. Speaker do now leave the Chair" (for Committee on the Valuation of Property Bill).

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "no re-adjustment of the system of assessment will be complete or satisfactory to ratepayers until a representative county board is established, with power of hearing appeals on questions of value, and for securing uniformity of assessment,"—(*Mr. Clare Read,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Mr. SPEAKER reminded the House, that when the debate on this Bill stood adjourned on Friday last by lapse of time, the Question before the House was that the hon. Member for South Norfolk be permitted to withdraw his Amendment. The Question, therefore, that he had now to put, was—"Is it your pleasure that the Amendment be withdrawn." ["No, no!"]

Mr. J. R. YORKE said, that he could not allow this Bill to pass with silent acquiescence. Its direct effects would not be altogether satisfactory, but its indirect effects would be positively mischievous. The objects of the Bill were incontestably right; for it certainly was much better that there should be only one mode of making the assessment, and that it should be made by one authority, instead of three different authorities upon three different principles. It was equally incontestable that it would be beneficial to have an equality of contribution between one Union and another in a county. But it was upon the means of obtaining these objects that difficulties arose. The introduction of the surveyor of taxes would lead to an undue amount of centralization, and cause the Government to be unpopular in the country. Under the

Bill, rents would be taken as the basis of assessment, the result of which would be most unfair and unsatisfactory. The Bill also was defective with regard to the subject of appeals, it giving an appeal from the better-informed to the worse-informed authority. The right hon. Gentleman who had charge of the measure alternated between two opinions. He wished to bring about a permanent assessment, and yet he seemed to have a desire to postpone arrangements for bringing about a lasting settlement until the County Boards Bill had been passed. It seemed to him to be a point open to considerable question whether, if the opportunity were lost this year of establishing County Boards, it would occur again for a very long time. The late Government proposed to deal with this question in a particular way, but they failed—either from want of time or opportunity. When Her Majesty's present Advisers took Office they also proposed to deal with the question, and to commence the process by reforming the existing system of county government. When he saw the County Boards Bill at the front of the Government measures relating to this question, he hoped that the Bill would be passed—with the elimination, perhaps, of the clumsy highway clauses—and thus the way would be cleared for further reforms in the same direction; but now the Government seemed to have shrunk back from the kernel of the business, and to be inclined to content themselves with its shell. If it were necessary that one of this series of Bills should be passed this Session, the County Boards Bill ought to be the first. But the Cattle Plague Bill was a measure of far greater urgency and importance to the agricultural interest, and ought to be dealt with before all the others. The strategy of the Government, in postponing the most important and putting forward the less important Bills, seemed to invite opposition; and the disposition of the Irish Members must have greatly changed within the last few days, if they were not disposed to make the most of the unwieldy bulk of this Bill. He appealed to the right hon. Gentleman not to press this Bill further forward this Session, but to allow the House to devote its time to getting through the Cattle Plague Bill, and, if possible, the County Government Bill.

MR. RYLANDS: I am quite prepared to give every credit to the right hon. Gentleman the President of the Local Government Board for his desire to reform the local administration of the country, and I appreciate very highly the ability with which the right hon. Gentleman fulfils the duties of his important Office. Still, it is impossible to shut our eyes to the fact, that the group of measures that are now before the House having reference to his Department have by some means or other got into something very like a muddle. I think it is not very difficult to find out how it is that, notwithstanding the great ability of the right hon. Gentleman, these Bills have got into a state which is not fully satisfactory to either side of the House. I think it is simply because Her Majesty's Government have adopted in these measures a timid and feeble policy. They seem to me to have been influenced by several currents of opinion which have been moving in contrary directions. There is no doubt that there is a very powerful current of opinion at the head Office of the Local Government Board, which always moves in favour of centralization and increased authority on the part of the Government Department. There has also been another current which has been brought to bear upon the right hon. Gentleman from the counties and the agricultural societies, who have pressed upon the Government that the Local Government Board should provide greater facilities for the representation of opinion in the localities and greater power for the management of their own affairs by the ratepayers in those counties. This local current which is in favour of local government has been divided into two other subordinate currents. One current has been to obtain representation for the farmers and other ratepaying occupants of property in the counties, and who naturally say—"Let us manage our own affairs either by our own judgment, or, at all events, let us have a voice in the appointment of those who have to manage our various local affairs." The other local current is from the magistrates in the counties, who say—"We have a certain authority which we do not like to part with; we do not like the Government to bring forward any measure which would lessen our authority in the counties, or take it from us and give it to the ratepayers." The Bills before the House are a compromise between these three powerful opinions. The right hon. Gentleman has, no doubt, tried as far as possible to please these different classes of opinion, and the result has been that he has satisfied nobody. The great point in the compromise was, that the County Government Board Bill should be the first to be brought in and passed, and the Valuation and Highway Bills should hang upon the County Government Bill. We find that the circumstances have entirely altered. This compromise has disappeared, and we are told that the County Government Bill is not to be brought on. What lessons are we to learn from the present state of things? Simply, that where you have three powerful currents brought to bear upon the Government, the current which is least powerful will be pushed aside. The farmers have the least power, and, consequently, they have gone to the wall. The other currents of opinion remain to a very large extent embodied in the Bills now before the House. I know the right hon. Gentleman says he is not in favour of centralization, and I am quite prepared to believe it; but he is surrounded by public officials who are all in favour of centralization. [Mr. SCLATER-BOOTH dissented.] The right hon. Gentleman shakes his head, but I know very well how these public officials say—"You must take care to keep the power of the Government over the local administration;" and so it is that the surveyor of taxes occupies a very important position in the Bill, for that satisfies the current of opinion among the permanent officials of the Department; and then, on the other hand, the whole question of valuation in reference to appeals is left in the hands of the county justices, and the farmers and ratepaying occupants of the counties are refused any additional voice in the determination of the ultimate decision with regard to valuation. I should like, if it were possible, that the right hon. Gentleman would place himself in this position for a short time, and get rid of official ideas. If he would go down to his county, and look at the question from a point of view of a ratepayer or farmer, he would form a very different judgment. The fact is, it is no use telling the people in counties that you can manage their business for them better than they can do it for themselves. I dare say you can; but they want to have a voice in the management of their own affairs; they do not want to be controlled by any Government officials, or the entire power to be left in the hands of the, no doubt, highly respected body of magistrates who are yet in no sense possessed of a representative character. I believe that the assessment committees have acted remarkably well; and I am strongly of opinion that additional experience would enable them still further to improve the system of valuation over which they preside. But the assessment committees are not trusted by the right hon. Gentleman, and he, therefore, brings in the surveyor of taxes. I observed that the hon. Member for South Norfolk (Mr. Clare Read) seemed to be astonished at more not being said on this side of the House on that subject. I stand here with the view of protesting against the position the surveyor of taxes occupies under this Bill. I am sorry to say that, in consequence of the change that has taken place in the structure of the Bill, an impression has been produced in the country that a great concession has been made in reference to the position of the surveyor of taxes. Now, I recollect very well, when the Bill was before the House on a former occasion last year, that the surveyor of taxes occupied a very powerful position in that Bill, so powerful that it was clear that if he continued to occupy it, the assessment committees would practically feel themselves placed in the position of nonentities. There is an alteration in the position of the surveyor, certainly; but what is the position now? The assessment committee will, according to the best of their judgment, decide upon the value of property in their locality. That judgment will be differed from by the surveyor of taxes, who will have the power not only of appealing against the assessment committee to the petty sessions and the quarter sessions, but of having a special case taken up to the High Court of Justice. The right hon. Gentleman said that it was necessary to have this power of appeal in order that justice might be done to the poor ratepayer. But the surveyor of taxes would appeal against the assessment committee with the whole power of the Government at his back; and, therefore, he would have appeal after appeal, so as to make the assessment committees hesitate before taking up a position in opposition to him. I am sorry that the surveyor of taxes, although under a different form, is maintained in a position of such power and authority. I do not object to the assessment committee taking advantage of the experience of the surveyor of taxes. I think the committee will necessarily go to the surveyor of taxes and get from him very valuable information. But at present he is only an assistant of theirs; he is not in a position in which he can harass and control the committee. I will oppose any plan for putting the finger of the Government into local administration in such a form as will prevent additional power being given to the local administrators. With regard to the assessment committees, I know something about them. I have never sat upon them; but I know very well the kind of work which is done by them in the district with which I am connected. I say you have upon them magistrates who, from their knowledge, their experience, and their ability, are eminently suited for the position in which they are placed, and you have associated with them members of Boards of Guardians who also are men of great practical knowledge of the property in the neighbourhood. These assessment committees form a board which, I believe, is really unequalled for the purpose. They have generally great knowledge of the circumstances of the locality, and great knowledge of the value of property, and as they have every reason to deal with the matter in such a way as is likely to be satisfactory to the ratepayers, whom they represent, I think that instead of taking away from the weight and authority of the assessment committees, you should increase it and improve them in every possible way; and, to do this, you should not discourage efficient men sitting upon them. But my fear is that the course Government are taking—not only in this Bill, but in other measures—will have the effect of driving capable men away from Public Business by always thrusting in the control of the Government. I think that there should be no appeal to petty sessions from the decision of the assessment committee. In my opinion, it is altogether absurd that decisions of an assessment committee should be reviewed by magistrates who were not to be compared to the committee for their knowledge of the subject in hand. Therefore, I think the right hon. Gentleman should, without any hesitation, strike out the appeal to the petty sessions. If the Unions only were concerned, I suppose everybody would agree that it mattered comparatively little whether property within the Union was assessed upon a low level, or upon a high level, provided the whole of the property was equally assessed. But we are not dealing with the Unions alone; we have to consider that the property assessed in the Union will have to pay towards the common funds of the county. Therefore, it is of great consequence that the basis of assessment in one Union should be upon the same lines as the basis of assessment in the other Unions. I think that there should be a County Board with power to consider whether the valuations of the Unions in a county were on a basis which would render them fair as between Union and Union. It is, in my opinion, quite right that if there were a valuation list in one Union that was much lower than that of another, or based on a principle that was not fair as regarded the other Unions, there should be some county authority who should have the power of deciding how the respective Unions should deal with the valuation list. This was, in point of fact, the crucial question of the Bill; the real point being how to get a county authority to step in between Union and Union to settle what the basis should be. The hon. Member for South Norfolk (Mr. Clare Read), who has done a good deal of service by the part he has taken in the consideration of these matters, has put upon the Paper a Notice of Amendment, by which he challenges the opinion of the House on this crucial point of the Bill. It appears, however, that the hon. Member, having delivered his fire, now wishes to run away from his guns. In my opinion, the hon. Gentleman ought not to do anything of the sort. On the contrary, he ought to stand by his principle, which appears to be a sound one. The Amendment of the hon. Member is—

> "That no re-adjustment of the system of assessment will be complete or satisfactory to the ratepayers until a representative county board is established with the power of hearing appeals

on questions of valuation and for securing uniformity of assessment."

I will not say that I go with the hon. Member in every word of that; but with regard to the declaration that there should be a County Representative Board for securing uniformity of assessment, that, in my judgment, is the vital principle of the Bill, and the House ought to have an opportunity of voting on the Amendment, in order that those who feel with the hon. Member may have the opportunity of expressing their opinion that the Bill will not be satisfactory unless it contains some clause asserting such a principle. It may be that the right hon. Gentleman the President of the Local Government Board will say it will be somewhat inconsistent on my part to vote for the Amendment I have just read, because it is well known that I do not wish the County Board Bill that has been brought in by the Government to pass this year. But, if that were said, my reply would be that I do not want the County Board Bill to pass, because I consider it unsatisfactory, insomuch as it has been drawn up on lines of compromise to which I object. But I will say that, if the right hon. Gentleman will bring in a Bill that will give to the country a system of County Boards, whose members shall be elected by and fairly represent the ratepayers under certain reasonable and necessary regulations—Boards who will have a due sense of the responsibility of the duties imposed on them, and who, to a large extent, will represent the true principle of local self-government—I will withdraw my objection to the measure. But there does not appear to be any hope of such a measure being brought forward this Session, and, therefore, I feel bound to say I do not want the Government County Board Bill already before the House passed this year; and even if the Government were still proceeding with that measure, the fact that they were taking such a course would not prevent my voting for an Amendment which sets forth that the system of assessment now proposed cannot be satisfactory, unless it is accompanied by the establishment of Representative County Boards for securing uniformity of assessment. Last Friday, on the occasion of the last discussion on the present Bill, I observed that suggestions were made to the effect that the County Committee might be strengthened by the addition of gentlemen having a representative character. And the right hon. Gentleman the President of the Local Government Board has himself said he should be very willing to associate with that committee of magistrates the chairman of each of the assessment committees. He has added, however, that he did not put any Notice of such a plan on the Paper, because he had felt that by so doing he might have prejudged the question of the future establishment of County Boards. I do not see that this ought to prevent the right hon. Gentleman from making the suggested change in the Bill. But I am bound to say that I think the proposal would, at the present moment, be inconvenient on the ground that it would merely be the establishment of an *ad interim* arrangement in the counties, whereas I think it would be far better to have the system settled on a durable basis. Some hon. Gentlemen, on the last occasion when this subject was debated, spoke of the proposed committee as a sort of "stop-gap," which could never get fairly into work, because it would have the feeling that it was simply appointed for a time, and that its position would soon be occupied by another body. If I had the choice, I should be inclined to say to Her Majesty's Government, in reference to the several Bills connected with county interests that were now before the House—"Take all these Bills back again, at any rate, as far as the present Session is concerned." I trust the right hon. Gentleman will adopt this course, in order that he may thereby have the advantage to be derived from the further discussion of these measures throughout the country, as well as of the arguments that have been used in this House, and that the result will be a considerable modification in regard to the Valuation Bill. There can be no doubt that this discussion will suggest to him and to Her Majesty's Government various points on which the provisions of the Bill may be improved, and I think that the Government, by postponing the Bill, and determining to deal with the question on a broad and popular basis, will be enabled to propound a system which will not only give a thoroughly efficient local administration with regard to highways and other local matters in counties, but which will give the Government the opportunity of establishing the County Boards which they propose to create on a wide and intelligible basis, of conferring on them an enlarged authority, and of opening a new avenue for the exercise of public spirit in the fulfilment of important public duties. If the Amendment of the hon. Member for South Norfolk is pressed to a division, I shall certainly give it my support.

COLONEL RUGGLES-BRISE said, that in the country there was a lack of interest in this Bill, and there were other Bills which would be far more acceptable. There had been no opportunity of discussing this Bill at the Chambers of Agriculture this year; but it was discussed last year, when the opinion unanimously expressed was that if they were to have a Valuation Bill, the appeal court must be a County Board. As far as his own county was concerned, there was no real necessity for a Valuation Bill, for there was a county rate committee, the local rates were assessed on the same basis, and there was no unfairness. It was said that the main object of this Bill was to attain uniformity; but uniformity was a bugbear, and even this Bill would not attain it; for, unless the Amendment of the right hon. Member for the City of London (Mr. Hubbard) were adopted, there would be no more uniformity than before. He quite agreed with the objection which had been raised against the appeal to petty sessions; and, so far as his experience went, there was more information and practical knowledge among members of the assessment committee than among those who sat at petty sessions. If the right hon. Gentleman infused a little representative element into the county appeal court under this Bill, a great many of the objections that he had raised would give way; but as the Bill stood, the bases of the valuation were most unsatisfactory. He hoped the Government would accept the Amendment proposed by the hon. Member for South Norfolk (Mr. Clare Read). The Bill ought, in fact, to be called a Rent Bill, and not a Valuation Bill, for it would increase not only taxation, but rent. Next to having his rent raised, there was nothing a farmer disliked so much as a re-assessment of his occupation; and it was not surprising, therefore, that the Bill was not acceptable to the general body of the tenant-farmers throughout the county. He regretted the course the Government had taken, and if his hon. Friend the Member for South Norfolk divided the House, he should vote against the Bill.

MR. WHITWELL said, he would support the Bill. He thought it most desirable first of all to proceed with the Valuation Bill. That was evidently a proper course; for, without a proper Valuation Bill, how could they have a proper basis for the adjustment of county affairs. He thought the hon. and gallant Member who spoke last was mistaken in his estimate of the effect of the Bill when he said it would increase the rents. The object was to equalize, and so to reduce rates. He thought it wiser, having a practical measure before them, to pass the Valuation Bill, and make it the basis of future action.

MR. MORGAN LLOYD expressed a hope that the right hon. Gentleman would withdraw the Bill for the present Session, and re-introduce it with the larger measure for county government next Session. The Bill was based on the supposition that the County Government Bill had already passed. Most important duties were cast upon this mythical County Board, which was not to be established till next Session, and might possibly never be established at all.

MR. SCLATER-BOOTH said, the Notice Paper would show that he had proposed Amendments dealing with these portions of the Bill.

MR. MORGAN LLOYD said, he was dealing with the Bill as it stood, and he had a perfect right to do so. The provisions to which he referred were the vital portions of the Bill, and it was the duty of the Government, before asking the House to go into Committee on the Bill, to have thoroughly settled in their own minds what to do with regard to it. The proposed appeal to petty sessions he must characterize as an absurdity. It was said it would act in favour of the poor man; but he was of opinion that it would operate the other way. The right to appeal was given to the parish authorities as well as to the ratepayer, and a poor man succeeding in his appeal to the petty sessions would be appealed against to the quarter sessions. A man never knew what liability for costs he might incur, nor where it might end. It was further objectionable from the fact that it would be an appeal from a strong to a weak body. Formerly an appeal to the petty sessions was not unreasonable, as it was simply an appeal from the overseer to two or more magistrates. It was therefore an appeal from an inferior to a superior; an appeal from one person to several persons. Now, all this was reversed. The assessment committee was a stronger tribunal than could be found at petty sessions, yet it was to continue the intermediate appeal as if no change had taken place. The machinery of the Bill was so complicated that he trusted the Government would withdraw it. What he would suggest to them was—to leave the assessment committee just as it stood, and to have a County Board such as the House might agree to. There was great difficulty in deciding what the County Board should be; but, until that point was determined, it was useless to pass a Valuation Bill. An appeal, if given, should be from the assessment committee to the County Board. Assuming that no County Board Bill should pass, he did not know of a better court of appeal than the quarter sessions, and an appeal to the High Court on points of law. The question before the House was not a Party question, but one of such importance that it ought to be fairly decided upon its merits before the present Bill was further proceeded with.

SIR MASSEY LOPES said, that as he had been alluded to in this debate, and had always taken a lively interest in all matters connected with local government reform, he wished to reply to a few observations that had been made. No one had been a stronger advocate of representative County Boards than himself, nor had anyone more deeply regretted the withdrawal of the County Government Bill, which was introduced for that purpose. No one rejoiced more than he did when the principle of the Bill was adopted last Session; but the objects of the Government had been opposed somewhat unexpectedly by both sides of the House. Besides, the time of the House had been much taken up by the Eastern Question, and there had been obstruction of an unusual kind on the Estimates; but the Government fully intended to reproduce the Bill in the course of another Session, when he hoped it might be more fortunate. No one could blame the Government; they had done their best to redeem the pledge given to the House last Session; they had not only introduced a County Boards Bill, but intended it to be the first step in the ladder towards the completion of local government reform. He sympathized with the view that it was neither a Party nor a political question, for unless both Parties could agree in the principles of county government, it would be a long time before improvements were made; but he saw no necessary connection between the Valuation Bill and the County Government Bill, for the former was *per se* necessary, and not subsidiary, to the latter, and its passing would not be inconsistent with the introduction of a County Government Bill another Session. He would remind all his old taxation Friends that they had agitated for a measure of this sort long before they ever thought of County Boards, and for the very best of reasons—namely, that an equitable basis of rating must be the foundation of all local government reform. This Bill, therefore, might be regarded as the keystone and corner-stone of any improvement. That the present system of rating was faulty and needed reform was the evident opinion of everybody, or else how came it that they had had already six Valuation Bills? One was brought in by the right hon. Gentleman opposite (Mr. Goschen), one by his lamented Friend Mr. Hunt, a third by the right hon. Member for Halifax (Mr. Stansfeld), and three by his right hon. Friend (Mr. Sclater-Booth). That looked as if the Government were anxious to do something. The subject of the Bill was of great importance and universal interest, and affected everyone. The principles of those Bills had all been discussed, he might say, *ad nauseum.* They had been thoroughly ventilated, and, therefore, there was no excuse for saying there had been no sufficient discussion of the principles of this Bill. What were they? First, to secure uniformity of assessment among various local bodies contributing to local purposes; and, secondly, to provide one basis for rates and Imperial taxes, to centralize the machinery of assessment by appointing one authority instead of three for the valuation property; and, if those objects were achieved, this Bill would effect a great reform. No doubt, the former Bills were very different from the one before the House. In them the surveyor of taxes had had far too much power. That power would have been arbitrary and obnoxious. He was absolute, his decision was final, and any conclusion he came to could hardly be disturbed; but the present Bill all but eliminated his authority, or, at least, vastly modified it, and if the House were to adopt actual *boná fide* rent as the basis of valuation, they need not fear the introduction of the surveyor of taxes. The right hon. Gentleman the other night admitted that rent was the best criterion of value, and that he would not object to rent being taken as the general basis. ["Oh!"] Yes, general; because there must always be exceptions in a country like this. Supposing, for instance, a portion of the rent of a property was covered by a fine or other consideration, nobody would say that the rent, taken without reference to the fine or consideration, was a fair basis. Rent had been truly said to be in the great majority of cases, though there must always be some exceptions, the best criterion of value; and he believed it to be the fairest measure and basis of value, as rent was a fact, while valuation was a matter of opinion. It had been said that the Bill allowed too many appeals, and that its machinery was too complex and cumbrous. That, in his opinion, was a question for the Committee to decide. He would venture to suggest, with reference to appeals, that no alteration should be made in the present Bill—that the work should be done by the old machinery. This would be very feasible; it would be an additional security for the introduction of a County Boards Bill early next Session. If altered, it might possibly tend to postpone that measure. The right hon. Gentleman the Member for Sandwich (Mr. Knatchbull-Hugessen) had criticized the Bill, and had said that whatever the faults of the late Government were, in dealing with local government reform, the measure they brought forward proposed relief with one hand and reform with the other. He (Sir Massey Lopes) quite recognized the great ability and earnestness which the right hon. Gentleman (Mr. Goschen) displayed with reference to this question; but, without making invidious comparisons between one Government and another with reference to this question, he must remind the House that the relief proposed by the right hon. Gentleman—namely, the transference of the house-tax to the local authorities, would only have relieved householders in the towns. The cardinal distinction between the policy advocated by the two Governments was briefly this. The late Government advocated reform prior to relief; such a policy would have indefinitely postponed any relief. The present Government, though equally recognizing the necessity of improving local government, had been of opinion that the two objects might advance simultaneously *pari passu.* The present Government had acted on the deliberate decision which the House, by an overwhelming majority, had come to in 1872, and had given material relief to the ratepayers. The Government, might, he thought, take credit for having religiously carried out everything to which they then pledged themselves. All must admit that the reform of local government, whoever might undertake it, was a most difficult problem, and that the President of the Local Government Board had shown great ability and great earnestness in what he had attempted in regard to it. They had had six different Valuation Bills, and when that was the case, it was pretty evident they could not expect to rouse much enthusiasm on that subject. Moreover, the question was encumbered with a great mass of details, and everybody was a critic upon it, and held his own particular views. Again, the subject was not only not a very attractive one, but it suggested the not very pleasant operation of putting one's hand into both pockets—into the one pocket for rates, and into the other for taxes. He asked, therefore, whether it would not be wise for the House to consider whether half a loaf in that case was not better than no bread, more especially when they had a promise of the big loaf in the shape of the County Boards Bill next Session? The present measure would be a good foundation for the reform of local government, and the proper time for criticizing its details would be when it was in Committee. The reconstruction of local administration must be a gradual process, and it would be hopeless to attempt by any one Bill, or any one scheme, to deal comprehensively and exhaustively with that most difficult and complicated task.

It could only be accomplished by a series of well-considered measures, and one of those well-considered measures was the Valuation Bill then before them. He believed that Bill would tend very much to simplify and to facilitate the reform of their system of local government, and on that ground he trusted that it would be passed by the House.

SIR ANDREW LUSK confessed that he was at a loss to know where they were in that discussion. He had seen many Valuation Bills brought into that House and found fault with by everybody, the result being that they never got any one of them passed, although such a measure was urgently required. It was humiliating to think that 655 Gentlemen sitting in that House could not agree upon a fair and just system of assessment. That was the more to be regretted, as the subject of valuation was not a Party question; and it ought, therefore, to be dealt with in a practical and business-like spirit. The present system of assessment was most unjust; and what was wanted was a fair basis of valuation under which all might be equally taxed. This was a subject of the greatest importance to the Metropolis. [" Oh, oh!"] He could tell those Members who said " oh!" that the Metropolis was as big as all Scotland, and paid more taxes than all Ireland. Some streets in the Metropolis now paid almost double the amount which others paid in proportion; and when objection was taken by some county Members to the interference of Government surveyors in those matters, he would remind them that commercial men were a good deal looked after in reference to taxation. In the Metropolis large premiums were very frequently paid to obtain the tenancy of desirable premises; and the rent in such cases, therefore, by no means represented the value. For his part, he thought it much better to have an independent man employed by the Government to say what was the fair value of a thing, and then to let people appeal, if they chose, from his decision, than to leave interested persons to assess themselves, and to be, as it were, judges in their own cause.

MR. KNIGHT approved of the principle of the Valuation Bill. It was most desirable that every hereditament in England and Wales should be valued for all purposes at the actual rent it was let for. He did not think the Bill he held in his hand was necessary for this purpose. The existing valuation for Schedule A of the income tax was all that was wanted. It was a Bill of 110 clauses, 26 schedules, to do that which might be as completely done in a Bill of one clause and two schedules. The one clause would enact that assessment committees should take the present valuation for Schedule A for their gross assessment, and all deductions should be made according to the provisions of Schedules 3 and 4 of this Bill. The manner of assessing for the income tax now was that the authorities in Somerset House sent a number of forms to the different surveyors of taxes, who distributed them among the assessors of the various parishes, according to the number of the hereditaments in them. The only practical variation in this Bill was that the surveyors of taxes were to send the form to the parish overseers, instead of the parish assessors—a distinction almost without a difference. The great change proposed in the Bill was that, instead of the simple mode of appeal now in force, a complicated system was proposed that it would take the country at least five years to understand; and which was, he (Mr. Knight) thought, costly, and no improvement. The present system of valuation for Schedule A of the income tax had worked well for 25 years, during the old French War up to 1815, and again from 1842 up to the present time—in all more than 60 years—without complaint. There had been much complaint of the mode of assessing for Schedule B and for Schedule D; but he (Mr. Knight) had never heard of a complaint against Schedule A. The mode of appeal was very simple. A body of Income Tax Commissioners, with a certain property qualification—much resembling the Commissioners of Supply in Scotland—was formed. The surveyor of taxes might surcharge anyone he thought to be assessed at too small a sum. Certain days were fixed for hearing appeals, at which the Commissioners and the surveyor of taxes attended. The surveyor was not the master, but the servant of the Commissioners. He had to show why he had made his surcharge, and the Commissioners were the judges. He (Mr. Knight) had, in the course of a long life, attended twice before the Commissioners on appeal. He had found himself in the presence of eight or ten or a dozen men—two or three of them being magistrates, the others being taken from among the most respectable of the upper middle class inhabitants of the district. On one occasion the Commissioners allowed that he (Mr. Knight) was right; and on the other they very soon convinced him that they were right, and that he was wrong. There was no expense or costs, and he had never heard that mode of appeal complained of in any way. Now the 109 useless clauses of this Bill—for he would not allow that more than one clause was wanted—had apparently been drawn up for the Local Government Board by someone who thought costs no great evil. Of all classes of legislation, nearly the worst, in his opinion, was that which aimed at making new crimes and misdemeanours by Act of Parliament, and then affixing punishments to them; and a very large number of the clauses were of this description. Fines and costs and other money payments appeared continually in the clauses of this Bill. The surveyor of taxes was named 42 times, and the Local Government Board came in 35 times with orders and decisions where nothing wanted to be ordered or decided if the present assessment of Schedule A were acted upon. If the Bill were to be gone on with, he hoped Government would allow a Select Committee to inquire whether any available reason could be shown for altering the present mode of assessing for Schedule A; and, if not, that they would authorize the use of that assessment, which was based on actual rental, as a gross assessment for all purposes. With regard to the Amendment of the hon. Member for South Norfolk, which was now before the House, it was nearly identical with that which the same hon. Gentleman had moved to the Valuation Bill of last year. That Amendment—or rather Resolution—passed under peculiar circumstances. He (Mr. Knight) was one of those who had worked heartily for the reduction of local taxation, in conjunction with the hon. Gentleman the Member for South Norfolk—he (Mr. Knight) in the Worcestershire, and his hon. Friend in the Norfolk and Central Chambers. He would now say a few words on the County Board movement, and on the antecedents of the hon. Member for South Norfolk on that subject. It was commenced by the late Mr. Hume, who brought in Bills for County Financial Boards in 1836, 1849, and 1850. In the first Bill all the members were to be elected; in the second, to be one-third justices and two-thirds elected; in the third, to be half justices and half elected. In 1852 Mr. Milner-Gibson brought in a Bill for a Board with all the members elected. All those Bills died a natural death. In 1868 Mr. Wylde brought in a Bill for County Boards composed of half justices and half elected members. This was referred to a Select Committee, of which Colonel Wilson-Patten was Chairman, and upon which the hon. Member for South Norfolk sat. The very point they were now debating was brought forward four times in discussing the report of that Committee. The Report recommended that courts of quarter sessions should be formed into County Boards by the addition of elected members. Mr. Clare Read, now Member for South Norfolk, voted on at least three different occasions on that Committee, that "elected representatives should be associated with the magistrates in the expenditure of the rates," and against the proposal of Mr. Wylde for separate County Boards, composed partly of justices and partly of elected members. He voted against the formation of Boards almost similar to those the hon. Member now wished Parliament to adopt. In the ensuing Session a Bill carrying out the Report of the Committee was brought in by the right hon. Member for Sandwich (Mr. Knatchbull-Hugessen). It was the subject of a long debate, and met the approval of every Member who spoke upon it on both sides of the House. Mr. Knatchbull-Hugessen, Colonel Wilson-Patten, Mr. Assheton Cross (now Home Secretary), the late Mr. Hunt, Mr. Bruce (now Lord Aberdare), and others spoke in favour of it. The Bill fell at the "massacre of the innocents," but its principle was a living one, and would, he (Mr. Knight) hoped, eventually become law. This Bill was brought in by a Liberal Cabinet, and on the back of it were the names of Mr. Knatchbull-Hugessen, Mr. Secretary Bruce, and Mr. Arthur Peel. Last year, when the hon. Member for South Norfolk brought forward a Resolution nearly similar to that which they were now discussing, some one of the Gentlemen who managed the Government Business in the House asked him, among other Members, his opinion with regard to that Resolution. Recollecting how the hon. Member had voted on Colonel Wilson-Patten's Committee, and recollecting how strenuously he had fought the battle of the farmers for the decrease of the rates and taxes which pressed on land, he (Mr. Knight) said that he should support the Resolution; and he believed that many other Conservative county Members made the same answer, as the hon. Member for South Norfolk had hitherto always taken the economical side in all questions of rating. The Resolution passed *nemi. con.* He (Mr. Knight) did not hear the hon. Member's speech on that occasion, which he had read in *Hansard* this year, on being told that the County Bill of this Session was founded upon it, and that it was supposed, from their acquiesence in the Resolution of last year, that it had the concurrence of the county Members. It was not until he read that speech that he discovered that the hon. Member for South Norfolk had utterly deserted the principles of economy in county expenditure that he had formerly so strongly supported. If he (Mr. Knight) had heard that speech, he should certainly have voted against the Resolution. On reading that speech he found, to his surprise, that the hon. Member had changed his colours, and turned his coat, and that his speech of last year was the entire reverse of what might have been expected from his antecedents. He had, in 1869, in seconding or supporting the great Motion of the hon. Baronet the Member for South Devon (Sir Massey Lopes) for the reduction of local taxation, deplored the increase of local rates, and asked for "further contribution from the Consolidated Fund." "The farm he occupied," he said, "paid 25 per cent more rates than it did a short time before, and if the poor rates went on increasing they would soon become intolerable; but if Government would take upon themselves the cost of the police, the Militia, the gaols, coroners, and weights and measures, there would be no need of County Financial Boards." He (Mr. Knight) was never more surprised than when he found that the hon. Member had gone over to the enemy, and that instead of advocating economy in the rates, he had proposed the very same Boards he had voted against on Colonel Wilson-Patten's Committee; and had done so, not with a view of economy, but with the full knowledge that the rates to be paid by the farmers and other ratepayers would be largely and indefinitely increased by the formation of such Boards. The hon. Member began his speech last year by fulsome compliments to the magistrates for the admirable manner in which they had managed county affairs; and he then proposed to take all future management of these affairs away from them. A ratepayer's Board was to be formed, not to decrease, but to increase, the rates that pressed on the farmer. The new Boards were to take from the magistrates the supervision of lunatics, bridges, cattle disease, valuation, registration of voters, and the making and levying of county rates. "New duties," the hon. Member for South Norfolk said, "would be sure to crop up. Once get your county authority, and you will soon find plenty of work for it to do. I will mention one or two things." He then said that they ought to be a Main Highway Board; sanitary matters should be referred to them, they should appoint medical officers of health for the county, questions of engineering science and questions of sanitary science should be referred to them, they should appoint county surveyors to advise and supervise the work done under the County Board, they should consider questions as to the extension of the Poor Law from unions to counties, they should convert unnecessary workhouses into reformatories, idiot asylums, industrial schools, refuges for permanent sick and infirm, or into infirmaries; the new County Board was to take up large questions, such as arterial drainage and storage of water, to undertake the supervision of educational endowments; they were to be empowered to raise and spend, in addition to the county rates, a portion of the Imperial taxes, a portion of the assessed taxes, and, finally, a local income tax, for the relief of the poor. All the hon. Member's old ideas of economy had vanished. He did not pretend that all these new and unnecessary heads of expenditure—in addition to those which, he said, would be sure to crop up—could be undertaken without largely increasing county expenditure and county rates—indeed, this certain increase of expenditure was frequently referred to throughout his speech. The hon. Member finally allowed that the movement for County Boards was not popular with a large and highly respectable class of ratepayers, who did not like a scheme for raising the rates. If he should carry his point, he (Mr. Knight) warned him that he would find at least 95 per cent of his own constituents belonging to those who would strongly deprecate the increase of their local rates by 2*s*., 3*s*., or 4*s*. in the pound, which the provisions of this Bill would necessitate.

MAJOR NOLAN said, he had long come to the conclusion that it was of little use to hope that any Irish Bill would be discussed when the present Government had a parallel English Bill before the House. He found that the most important questions that could affect Ireland were inextricably mixed up by the Amendment of the hon. Member for South Norfolk (Mr. Clare Read)—Valuation and County Boards. The Government last year brought in a Bill which would have raised the valuation of Ireland 50 to 60 per cent. This would have been looked upon as an inducement to raise rents, and therefore he gave the measure his hearty opposition. If this Bill passed for England, he was afraid that a modified Bill would be passed for Ireland. With regard to County Boards, they had been told that the English Bill had been abandoned; and, notwithstanding what the Chief Secretary for Ireland had said, that practically meant the abandonment of the Irish Bill. It was a most important question for Ireland whether the Valuation Bill or the County Boards Bill passed first. He did not think this would be a good Bill for England, and he was certain it would be a bad Bill for Ireland. He should vote for the Amendment of the hon. Member for South Norfolk.

MR. GOLDNEY said, he did not see what this Bill had to do with the subject of county government, except with reference to the question how far the present court of quarter sessions was a sufficient court of appeal. The object of this Bill was simply to bring about a uniformity of assessment in the gross; but the hon. Member for South Norfolk objected to any new system of assessment unless there were first established a county board to hear appeals. During the whole time he had sat in Parliament, a period extending over some 14 years, Select Committees had been appointed year by year to consider this question; and they had all, in more or less modified forms, recommended that steps should be taken to simplify assessments and to reduce the expense of collecting the rates. That principle was embodied in the present Bill; and, therefore, he supported it as a step in the direction of legislation, which he thought would prove highly advantageous. There were a number of points in detail contained in the Bill which could not be easily disposed of in a Committee of the Whole House; and he, therefore, hoped that the principle of the Bill having been affirmed, it would after being committed *pro formâ*, be referred to a Select Committee.

SIR JOSEPH M'KENNA was also of opinion that it would be advisable to refer the Bill, which was full of intricate details, to a Select Committee. It proposed to repeal no fewer than 28 Acts of Parliament in whole or in part, and evidence ought to be taken by a Select Committee as to why these Acts ought to be repealed. Without such evidence, the House would be acting wholly in the dark in passing this Bill.

MR. STORER recommended the hon. Member for South Norfolk not to press his Amendment to a division, as the country would not be satisfied to have the advantages of a Valuation Bill taken away by a side-wind. There were many changes in this Bill which would be hailed with satisfaction by the country at large. The Bill would tend very much to curtail the powers of the surveyors of taxes, which were not always exercised in a just manner. He should like to see eliminated from it the appeal to petty sessions, as most of the magistrates before whom the appeal would come would have been *ex-officio* members of the assessment committee. He hoped, too, that the appeal to quarter sessions, of which he fully approved for the present, would in time be exchanged for appeal to the County Board which they were promised. Rent fluctuated very much from various causes, and the Bill probably furnished the best machinery for securing uniformity of valuation.

Question put.

The House *divided:* — Ayes 131; Noes 107: Majority 24.—(Div. List, No. 174.)

MR. J. G. HUBBARD: You, Sir, and the House, I trust, will exonerate me from the charge which my right hon. Friend brought against me on Friday last. On that occasion, my right hon. Friend, in the course of his remarks, used these words. He said, speaking of the Resolution which I was about to move, that—

> "He thought it unfair that a measure, which had for its object the uniform valuation of the country, should be hampered with a proposal relating to the incidence of the income tax with which *primâ facie* it had nothing to do."

Now, Sir, I am not in the habit of doing anything unfair, and I think that, if I read the title of the Bill and one of its clauses, I shall convince the House that there is nothing unfair in my proposition. In the 9th section, the object of the Bill is declared to be the settlement of the valuation list; and, subsequently, in the 31st section, it is stated that—

> "For the purpose of every rate made during the year, for the purpose of every tax—namely, the house tax or the income tax—and for the purpose of determining the qualification of jurors, the valuation list shall be conclusive evidence."

And it is further declared, by a part of the same section, that "the said house tax and income tax shall be charged upon the gross value." Now, if I have, in making this Motion, connected the question of the house tax and the income tax with the Valuation Bill, I find my justification in the very terms of the Bill itself; and I think, therefore, that the House will exonerate me from the charge of having done anything unfair in constructing a Resolution such as that which I am about to place before it. But I forgive my right hon. Friend, because I am satisfied he is with me in the matter which I have at heart myself. Indeed, I am satisfied that if he followed out his own instincts, he would accept the proposition which I am now about to make to the House; and I believe that, as I agree with my right hon. Friend heartily in 99 points out of every 100 in the Bill which I hold in my hand, so he cannot greatly differ from me in regard to the one point, when that point is in direct contradiction to the other 99. Looking at the construction of the Bill, I may say that the charge brought against it of being unpopular is, in my estimation, no libel upon the Bill itself. Why is this Bill unpopular? Because it is meant to remedy abuses. All laws are meant to remedy and to restrain abuses; and the Valuation Bill is intended to prevent abuses which have for a long time existed in the assessment of the property of the country. It was not yesterday that measures relating to this subject were first laid upon the Table of the House. Fifteen years ago I had the honour of acting on a Committee on a Valuation Bill, the scheme of which was very nearly the same as that which is now before us; and in the subsequent measures which were submitted from time to time, I find that we were progressing towards an arrangement which, if it be honestly and fairly carried out now, will, I venture to say, effect an enormous improvement in the general assessment of the country for the purposes of taxation. There is, however, one very important consideration which ought to be kept in mind. It is, that the principle which is enunciated in this Bill should be consistently carried out; and here it is that I am, unfortunately, bound to differ most materially from my right hon. Friend. Excellent as the Bill is in every other respect, there is just one passage in it which is execrable, because it is at variance with all those principles which ought to command the respect and allegiance of this House. I refer to the 31st clause; and, if hon. Members will have the kindness to turn to it, they will see the point which I wish to bring under their notice. By that clause the Bill proposes to stereotype what must be considered as an administrative abuse, and, in doing so, it acts independently of the law of Scotland, and in direct contradiction with the law of Ireland. Moreover, it puts itself in conflict with the principles which, in the Home Department, regulate the action of the Secretary of State with regard to the qualification for office. Lastly, it puts itself in conflict with the whole substance of the Bill which I hold in my hand. This is, I think, an impeachment which, if it be proved, does establish either that that clause ought to be removed, or that the Bill ought not to pass. Anxious as I have been to see this Bill pass, I hold that this one attempted enactment is so mischievous in principle and practice, that I would rather the Bill should be postponed than see it passed with this 31st clause unamended. May I be allowed to call the attention of the House very briefly to its wording? Its object is to determine that the valuation list shall be conclusive for certain purposes. Those purposes are—the determination of the amount of the assessment for rates—of the amount of the assessment for Queen's taxes — and the determination of the qualification for office. When you come to observe how these three purposes are carried out, you find that every rate which is to be levied upon the valuation list constructed under this Bill shall be made in respect of the "rateable," that is, the net, value. Again, the clause provides that the qualification of jurors, or of any other office, shall be determined by the "rateable" value. But, then, we come to a provision that the house tax and the income tax—the Queen's taxes—are, under this clause, to be levied upon the "gross." Now, I want to know why that word "gross" comes in there, in conflict and contrast with the word "rateable," which is used in reference to the other taxes? I am quite aware that there is a precedent to be found in the Bill relating to the valuation of property in the Metropolis; but I venture to draw attention to the circumstance that the Metropolis Valuation Bill was passed in the year 1869, when it was considered exceedingly probable that the income tax would vanish very shortly altogether, and when it was also felt that as the Metropolis was only a portion of the whole country, it would be hardly possible to introduce a provision for the levying of the Queen's taxes in the Metropolis different from that which was in force throughout the rest of the country. Upon these considerations, the Metropolis Valuation Bill of 1869 allowed the Queen's taxes to be levied on the gross rental. But we have now arrived at a very different state of things. The Bill before us now is not a temporary measure. It is not a Bill applicable to a portion only of the country; but it will extend to the whole of England and Wales, and it is meant to be a permanent measure, which for future years and ages is to regulate the levying of the Imperial taxation of this country. Consequently, the responsibility of the Government in reference to this Bill is wholly different from that which existed with regard to the Metropolis Valuation Bill of 1869; and this House, if it desires to affirm the sound principle of assessment deliberately adopted for local taxation, will not hesitate to apply it also to Imperial taxation. I have already said that the 31st clause of the Bill as it stands conflicts with the law in Ireland. That law is laid down in the Valuation (Ireland) Act of 1852, and the principle on which it is based is very clearly expounded in the Bill brought in, but not passed, by the Government last year, and of which the 4th clause provided that the valuation list, accepted as the measure of value for all purposes of assessment, whether local or Imperial, shall be the net annual rent or value—"all rates, taxes, and costs of repairs being paid by the tenants." Obviously, under this system, the income tax is charged under Schedule A only upon the rent, which accrues to the landlord; and I, therefore, appeal to hon. Irish Gentlemen in this House, who are always most chivalrous, to help us in our efforts to get rid of this oppressive inequality. I will venture upon an illustration of my argument. Turning to the Department of Customs, I ask—What is the practice there? Instructions are given to the officers to levy customs duties. What upon? Not upon the whole package, cask, or bag. They ascertain the contents of the package, and charge duty upon the net or real quantity of the article taxed. Let us act on the same principle in regard to the taxes on houses, and charge only the portion of the rent which constitutes the net article taxable. Then, with regard to the Home Department; in the very Bill we have before us, it is provided that if a question arises as to the value for the qualification for office, or for the grant of a licence, it is to be determined by reference to the rateable value in the list. Not upon the "gross," bear that in mind, but upon the "rateable." We have, then, this remarkable fact, that while the Board of Customs regard only the net quantities for duty, while the Home Department regard only the net value for its own guidance, and while the Local Government Board constitutes the net or rateable value as the measure for all rating purposes, the Inland Revenue Department would distinguish itself by continuing to levy the income tax and the house duty upon the "gross" value. Now, Sir, no other argument ought to be required in support of my contention than this one which I have advanced. If that principle is right for local taxation, how can it be wrong for Imperial taxation? If this principle is just, if it is scientific for local purposes, it cannot be unjust and unscientific for Imperial purposes. Sir, I hold it to be most unfair and unjust to take the gross value for Imperial purposes, and I think I have shown that there is a glaring and intolerable anomaly between the general principles which pervade this Act, and the exceptional and vicious provision foisted into the 31st section. I have exposed the anomaly, and I will now endeavour to point out the extent to which it operates. In the schedule of the Bill now before the House, we find that deductions have been provided for in the following degrees for various descriptions of property:—For land, 5 per cent; for farms, 10 per cent; for houses, 16⅔ per cent; for cottages, 25 per cent; for works of various kinds, 33⅓ per cent; the consequence being that, while local rates are levied on different properties in these several ratios, 90 per cent on farms, 83⅓ per cent on houses, 75 per cent on cottages, and 66⅔ per cent on perishable works, 100 per cent is taken as the measure of the charge on all by the Queen's tax collector. Where is the justice, equality, or uniformity of such a system as that? I have said that this mode of dealing with taxation is equivalent to using false weights and measures, and the Government have no right to deal with the Queen's subjects with false measures, a practice neither better nor worse than the issuing of false coin. I hope the House will bear this in mind —that, for every 20*s*. raised under the authority of the Local Government Board, upon the different kinds of property which I have mentioned, at a given ratio, the Inland Revenue Office would —under the system of charging on the gross value—raise, at the same ratio, 22*s*. upon farms, 27*s*. upon cottages, and 30*s*. upon perishable works. I think the Government ought to explain and justify, if it be possible, this contradictory policy, or have the courage to admit its defects, so that a remedy may be applied. Before I pass to the remedy, let me illustrate the intensity of the grievance. I have said that land would, under this proposed system, pay 10 per cent more than it ought, and that 10 per cent is just equal to a ½*d*. in a 5*d*. tax— that is to say, an income tax of 5*d*. in the pound, levied on the gross value, is practically a tax of 5½*d*. on the net rent or actual profits of the land. That is the measure of the injury done to land. Landowners, as a class, would be paying 10 per cent more than they ought if their properties were free from burthens; but this is far from being the case. The land of England is heavily burthened. If it is burthened to the extent of half its rent, the tax on the outgoings would add one quarter to the nominal imposts, and the charge on the landlord's share of the rent would be 5*d*., when the tax was nominally 4*d*. But, assume the not unfrequent occurrence of an estate of £2,000 gross, and £1,800 rateable value, on which the mortgage interest absorbs £1,600. In that event, the owner, taxed upon £2,000, and, recouping himself to the extent of £1,600, remains liable for the balance of tax upon £400, though he receives only £200. The tax upon his residue of rent is double that which is charged upon the interest paid to the mortgagee. That is a tolerably clear exposition of the way in which this nefarious principle acts. It defrauds the owner of an encumbered property more cruelly than the owner of unencumbered estates. The unencumbered owner is injured only in proportion and in common with everyone else, but the embarrassed owner is surtaxed in proportion to his inability to pay the tax. Well, Sir, there is one simple remedy for all these evils. Erase the word "gross," insert "rateable," and levy Imperial taxes on the same principle as local rates. To that proposition what are the objections? It has been said, if the proposed relief were granted to real property, the grievance of those taxed under Schedules D and E would be aggravated. Sir, I am satisfied that traders and professional men would feel no jealousy or envy at seeing justice done to any class in the community, even if they were excluded from sharing in the remission of the taxation that I ask for. But, Sir, such would not be the consequence of my success. The remission I ask for applies mainly to houses. The house tax is 9*d.* in the pound, and the income tax 5*d.* in the pound, and to levy them both on the rateable instead of on the gross value would effect a relief sensible to and shared in by the whole community. Every householder would be benefited sooner or later by the adjustment of taxation through a measure intended to be permanent. Therefore, Sir, I am satisfied that no ignorant or ungenerous feeling of jealousy would be manifested, and no one would take exception to the relief which the Government are asked to give. In asking for this remission, I am influenced by no *arrière pensée*, nor have I any intention to use success in this reform as a lever for any other attack on the Exchequer. Industrial incomes have their wrongs, but they are quite independent of this proposal, which is made with the view of establishing what I believe to be a right and just principle of taxation with regard to the very important interest of which I am speaking. But now, Sir, let me tell the Chancellor of the Exchequer for his comfort another fact which is not unimportant. It is really very much during the same period in which this movement for the reduction of local taxation has been going on that the officials engaged in collecting taxation have been vigorously at work screwing up the assessments on houses and land; and, to such an extent has that taken place, that, within the last 10 years, the amount of value to the inhabited house duty has been increased from £1,000,000 to £1,500,000. It may be said—"Oh, the population has increased." But to what extent has the population increased? The population has increased at the rate of 1 per cent per annum, or 10 per cent in 10 years; so that, while the increase of the assessment of the tax is 50 per cent, 40 represents the official distension of the assessment—the successful assessment. I say, then, to the Chancellor of the Exchequer—"The amount which you will raise in 1878 by the rateable value will be equal to what you received five years earlier upon the gross." Surely that consideration should dispose my right hon. Friend to a cheerful acceptance of my demand? I do not desire any re-adjustment of taxation that could create new wrongs; but it is inevitable that, in a re-adjustment which removes inequalities, some additional weight must fall on those who have been previously favoured. This is always the case, and there is no reason why it should not be the case in all fiscal reforms. The President of the Local Government Board said, if the Government accepted my proposition, it would deprive the Chancellor of the Exchequer of the assessment upon £10,000,000. Whether the amount rescued from assessment be £10,000,000 or £20,000,000 I care not, for I contend that that amount represents the extent of the area over which fiscal robbery has been carried out. The money raised as taxes over that area is money to which you have no right whatever. It is levied on principles which outrage the first elements of political economy, and are utterly abhorrent to the principles laid down by Adam Smith, that people are to be taxed according to their ability. It is a tax levied on capital while professing to be levied on profits. It is perfectly true that if we do justice to the taxpayer, the Chancellor of the Exchequer will forego a portion of his receipts. But that is no argument against my proposal. The man who uses false weights is not allowed to excuse himself by pleading that his gains will be diminished if he is restricted to the use of the legal standards. If a tradesman has for some years charged me more than he ought and I claim restitution, the law will not uphold him in refusing upon the plea that if he compensates me he will be the poorer. That, however, is the Chancellor's argument; but I must say that is an argument which does not weigh with me at all. This country ought to raise its Revenue only by fair and legitimate means, and what it cannot raise honestly it should not spend, but it should reduce its expenditure; or, if the same amount of Revenue be indispensable, increase the ratio of the tax and levy it equally. Well, Sir, I have now only one other point to refer to, and that is with regard to the inhabited house duty and the point of exemption. The Chancellor of the Exchequer says that if the house tax is disturbed it would disarrange the exemption of £20 a-year or under. Not at all. The limit of exemption may remain just as it is—namely, £20 gross, or £15 net. There it was, and there it remains. It can occasion no possible inconvenience to the Government that my Amendment should be accepted, and for this reason—this Bill does not come into effect until two years hence. Within those two years there is plenty of time to make any subsidiary arrangements that may be required to maintain a Revenue adequate to the Public Expenditure. In the meantime, I have the satisfaction of believing that in urging this measure upon the Government I am urging upon them the acceptance of a Resolution which will save this House from the extreme discredit of passing a law which is at variance with science, truth, and justice. If it is accepted in the way in which I propose it, it will require the alteration of one word only in the Bill. It conflicts with nothing else, and if it is adopted the country will have the satisfaction of believing that when they pay the Queen's taxes they are not more hardly treated, or more unequally treated, than when paying a poor rate, a borough rate, or a highway rate. I began by saying that I trusted the House would exonerate me from having, in the Motion I have made, introduced considerations unfair to the Government, because it is connected with the matter which they have in hand. I think I have shown that the question of which I have treated is intimately connected with this matter, and that it will not conflict with anything essential to the Bill. I have had no alternative but to bring the matter before the House as a corrective to the unprecedented provision which the Government has thought proper to introduce in the 31st clause. I am afraid, Sir, I cannot put the Motion to a vote as a division has already been taken; but, if so, I must defer until the House is in Committee to taking a vote upon the proposal which I offer, and which will give effect to the principle I have laid down; and I trust the House will concur in that principle.

THE CHANCELLOR OF THE EXCHEQUER observed, that the House had decided by a majority to go into Committee on this Bill, and it was not in his right hon. Friend's power to move an Amendment on the Motion now before the House. His right hon. Friend told them that when they were in Committee he would move an Amendment on a certain clause in the Bill; and, no doubt, when they arrived at that clause, his right hon. Friend would move his Amendment and support it by the arguments which he had used to-night. The House would then be able to pronounce on the proposition; but he (the Chancellor of the Exchequer) did not think that at present they were in a position to discuss the matter with advantage. He knew that no arguments which he could use would have the smallest effect on the mind of his right hon. Friend. His right hon. Friend had presented the House with a line of argument which he had on several previous occasions placed before it, and which he, no doubt, held with great diligence; but the House must not be led away by the exceedingly strong language which he used about what he called "the injustice," "the robbery," and the other sins of the Finance Minister in this matter. His right hon. Friend put the matter in a very pleasant way, when he said that if his proposal were adopted, the Chancellor of the Exchequer would only be a little poorer. "But," said his right hon. Friend, "I do not care for that. The Chancellor of the Exchequer is a robber, and the sooner he is made to disgorge his ill-gotten gains the better." He would point out to his right hon. Friend that the poor Chancellor of the Exchequer did not individually profit by these gains which he was supposed to make; but that it was the taxpayer of the country who had to provide certain sums which must be made up in some form or other; and if the Chancellor of the Exchequer were unable to raise the same Revenue that he was in the habit of raising by the income tax or the house tax, it would be necessary to find some other means of raising the amount required. He would, in that case, be obliged to come down to the House and say—"As he was obliged to make an alteration in the manner in which the income tax and the house tax were assessed, he was £1,000,000 or £1,500,000 short, and he must propose some other tax to make up that amount." That tax would fall either on the same persons or upon other persons, and then they came to a matter which involved questions of some nicety and delicacy, and it did not do to get rid of them by saying simply—"The Chancellor of the Exchequer is a robber." They must consider what the effect of the alteration of their system of taxation would be. This, however, was not the proper stage at which to enter upon these discussions—first, because the point before them was not this matter of how to raise taxes, but the question was, that they go into Committee on this Bill; and, second, because they must have this discussion at a future period. He earnestly hoped, therefore, that the House would not allow itself to be drawn into a long discussion at that stage of the Bill.

SIR. GEORGE CAMPBELL said, that the present system was to be defended only as a rough approximation to justice in the assessment of income tax as regarded permanent and temporary incomes, and he hoped it would be retained until a more comprehensive measure was introduced. He would much rather see a more complete distinction between the two kinds of incomes, but till that was done it was well that there should be a difference between the most permanent kind of incomes—namely, those from real property and other incomes, the former being practically charged at a higher rate, being assessed in full receipts. While the income tax was 5*d*. on other incomes it was probably really almost 6*d*. on incomes from rent, and that, he thought, so far fair. He trusted that if the right hon. Member for the City of London moved his Amendment, it would not be carried.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee; Committee report Progress; to sit again upon *Thursday.*

INCLOSURE PROVISIONAL ORDER (ORFORD) BILL—[BILL 189.]

(*Sir Matthew Ridley, Mr. Assheton Cross.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

LORD EDMOND FITZMAURICE observed, that the scheme which was sought to be sanctioned by the Bill was promoted by the unreformed Corporation of Orford. The land intended to be inclosed was Corporate land in the strict sense of the term, held in trust for the benefit of the inhabitants; and he thought it a serious question whether the Mayor and Corporation should be allowed to enter into the arrangement proposed, although he admitted that Sir Richard Wallace had acted in this matter in the most generous manner. It would be in the recollection of the House that on the Motion of his hon. Friend the Member for Chelsea (Sir Charles W. Dilke), a Commission had been issued to inquire into subjects relating to the unreformed Corporations; and though he believed there was nothing to say against the present scheme, he hoped he would receive an assurance that the passing of the Bill would not be made a precedent, and that the promotion of future schemes would be delayed till the Commission had reported.

MR. STEPHEN CAVE said, that as President of the Commission to which the noble Lord had referred, as well as Chairman of the Committee, he had been placed in a somewhat difficult position. In his former capacity he had received information with reference to Orford, which might possibly affect the decision of the Committee; and yet, as the evidence taken before Committees and Commissions was considered confidential till the Reports were made, he could not well make use of it. He thought it his duty, however, to elicit the information required by putting questions to the witnesses from Orford who appeared before the Committee. It would appear, from the evidence now in the hands of hon. Members, that though the Corporation of Orford, like many other unreformed Corporations, consisted partly of non-residents, who could hardly be said fairly to represent the opinions of the inhabitants, yet that these took no part in promoting the scheme, and their names were not given among those of assenting parties; therefore, he thought there was no objection on that score. Sir Richard Wallace had acted liberally; he had given more land for public purposes than he was obliged to do, and readily fell in with certain suggestions made by the Committee. Whatever might be the fate of the Corporation of Orford, any body or authority which might take their place would take it subject to the conditions imposed by this Bill. Therefore, as the scheme was itself unobjectionable, as the noble Lord himself admitted, he hoped it would be allowed to pass without alteration.

Mr. PARNELL objected to affording an unreformed Corporation facilities for inclosing common land—a serious question, seeing how little of it now remained in the country. In order that they might hear the hon. Member for Hackney (Mr. Fawcett) on the subject, he would move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Parnell.*)

Mr. SHAW LEFEVRE hoped that the Motion would not be persisted in, as the question of inclosure was really not involved. He believed that the hon. Member for Hackney (Mr. Fawcett) would have been satisfied with the explanations given by his right hon. Friend had he been present. His objections did not refer to the inclosure, but to the question raised by his noble Friend as to whether an unreformed Corporation should be permitted to make an agreement for an exchange of land. For his own part, he was satisfied that the exchange was a good one, and that Sir Richard Wallace had behaved generously to the public in the matter.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Bill *considered* in Committee, and *reported*, without Amendment; to be read the third time *To-morrow*, at Two of the clock.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That this House will, upon Wednesday next, resolve itself into the said Committee.

THE IRISH ESTIMATES.

OBSERVATIONS.

Mr. PARNELL said, he was sorry to make a complaint, but he considered the right hon. Gentleman the Chancellor of the Exchequer had treated his (Mr. Parnell's) Friends and himself very badly with regard to the Irish Estimates. At the commencement of the Session, the right hon. Gentleman intimated his intention of taking the Estimates as continuously as possible until he got through them, doing, if possible, without Votes on account; and, with regard to those for English and Imperial purposes, he had certainly kept his word. He had endeavoured, with the utmost persistence, night after night, to obtain money for those purposes; and, while not finding fault with him for that, he (Mr. Parnell) must say the Irish Estimates had been unfairly kept back. Before Whitsuntide, the Chancellor of the Exchequer postponed the Queen's Colleges Votes until that day—Monday—and the House had now been informed that those Votes had been further postponed until the mythological time arrived for the introduction of an Intermediate Education Bill in the House of Lords. Although not favoured with his reasons for this step, he was sure the Chancellor of the Exchequer had good and valid ones for it, and that he would not have adopted a course, which appeared like a breach of promise to the Irish Members, if he had not a good reason in his own mind for so acting. He (Mr. Parnell) did not so much find fault with the postponement of the Queen's Colleges Votes as he did with the postponement of the Estimates for general purposes in Ireland. In times past, it had always been a matter of complaint with the Irish Members that the Irish Estimates were not taken until so late in the Session as to make it almost impossible to allow of any discussion on them. He and many others had hoped that this Session they would have been brought forward at such a period that it would have been practical to have discussed them fully and fairly, and as they had never yet been discussed. The Irish Members desired on such Estimates to have an opportunity of bringing forward many important questions of principle and detail, and to try and remedy several grievances of which they complained. But now, it seemed that the Chancellor of the Exchequer, having begun under such good auspices, having got the English and Imperial Estimates before the House, was going to throw the Irish Estimates over to the end of the Session. He was quite sure that the Chancellor of the Exchequer would not willingly or knowingly do the Irish Members an injury in that respect; but, as days went by, and they got near the end of July, it became increasingly hard to discuss, with any effect or any satisfaction, Estimates, or to remedy grievances. Irish Estimates had never been fairly discussed since he had had the honour of a seat in that House, and it was a matter of great disappointment to him, just as it appeared likely that they would have the full opportunity which they had never yet had of discussing them, that they should again be postponed. That was not the first time they had been postponed during the present Session. The Chancellor of the Exchequer had gone here, there, and everywhere; he had gone backward and forward in order to avoid the Irish Estimates. He (Mr. Parnell) did not lay any particular stress upon the postponement of the Queen's Colleges Votes; he alluded to the other Irish Estimates, concerning which there were many important questions to bring before the House; and he appealed to the Chancellor of the Exchequer to allow the Irish Estimates, apart from those relating to the Queen's Colleges, to come forward sooner than he now intended. He did not wish to criticize at all severely the conduct of the Government in the management of Business. He knew they managed their matters with the best intentions; and although good intentions were invariably successful, he must say this Session their intentions regarding the Estimates did not deserve to be successful. Look at their conduct that night, for instance——

MR. SPEAKER: I would call the attention of the hon. Member to the fact that the Question before the House is, that this House will, upon Wednesday next, resolve itself into Committee of Supply, and he must confine himself to that Motion. The general conduct of the Government in the management of Business is not before the House.

MR. PARNELL did not quite understand when he could discuss the conduct of the Government in fixing Wednesday next for a particular class of Estimates.

MR. SPEAKER: By the Standing Orders of the House it must be so fixed.

MR. PARNELL said, he did not wish to do anything which was out of Order; but he wanted to thoroughly understand his position in reference to these Estimates. That night Supply was the fourth Order, and the evening had been spent on the three previous Orders. Consequently, they had not got into Supply at such a reasonable time as they had hoped; and the Government, in, the exercise of their discretion—and, he admitted, a very proper exercise of their discretion—had not attempted to get into Supply at such a late hour. But with reference to the question of the time at which they proposed to take Supply, he thought he was entitled to criticize their conduct on the matter of the Irish Estimates. The Army Estimates, which had been down for that night, were to be fixed for the next day, and he asked the Chancellor of the Exchequer what necessity there was for putting the Army Estimates before the Irish Estimates, which were of a much more pressing character? He knew the fixing of any class of Estimates for Tuesday would be more or less a matter of form; but, at the same time, he urged the Chancellor of the Exchequer to bring forward the Irish Estimates, and not follow the precedent of keeping them back to a time when they could not be properly discussed or decided upon. There were questions of the greatest importance involved in those Estimates, and he desired to abolish the custom of treating them as matters of form only. He had ventured, perhaps, at too great length, to direct the attention of the Chancellor of the Exchequer and the House to the matter. He knew the difficulty of discussing Estimates towards the end of July, as, in Sessions which were past, he had felt a sort of weariness when that period arrived. As it seemed likely that the same course would be pursued this Session, he urged upon the Chancellor of the Exchequer the propriety of at once bringing on the Irish Estimates, instead of taking the remaining five or six Votes of the Army Estimates, which were not of a pressing character. He wished to explain that in what he had said he did not mean to criticize the conduct of the Chancellor of the Exchequer in postponing the Queen's College Estimates.

MR. SPEAKER: I have to remind the hon. Member that he has repeated the same argument over and over again, and that he is thus trying very severely the forbearance of the House.

MR. PARNELL said, he had no wish to do that; but it was almost impossible for him to say anything without trying the forbearance of the House. He would move that Supply be taken on Tuesday, instead of on Wednesday.

Mr. SPEAKER: That is a Motion which cannot be put. It is contrary to the Standing Orders of the House that Supplies should be proposed, unless recommended by Ministers of the Crown.

The CHANCELLOR of the EXCHEQUER said, when the hon. Gentleman spoke of the Government having repeatedly postponed the Irish Estimates, he forgot that the practice had been, when the Irish Votes were reached, that the Irish Members objected to proceed with them. The Government would be most anxious to go on as soon as they could with the Irish Votes, but it would be inconvenient to take them before the Army Estimates. At the moment, he thought it best to conclude an irregular discussion by explaining that when the Order of the Day for Supply was reached at too late an hour on Monday, it was a Standing Order to postpone it to Wednesday.

Mr. O'SHAUGHNESSY said, he could not too strongly impress upon the Chancellor of the Exchequer the necessity of giving time for a full discussion of the Irish Estimates. There were many questions relating to them to be considered, and he believed a full discussion on one occasion would obviate a repetition of the arguments at any future time. Irish Members only objected to proceed with Votes when the hour was too late for full and fair discussion.

Mr. O'DONNELL said, all must feel that the Chancellor of the Exchequer meant to be courteous, and was courteous; but he very seldom gave the Irish Members any real satisfaction. To place himself in Order, he would move the adjournment of the House. The Irish Members felt that the course which the Government adopted towards them provoked them to a certain extent to assume a retaliatory attitude. ["Oh, oh!"] He meant exactly what he said. If hon. Gentlemen opposite would enter into the feelings of Irish Members, who desired to deal carefully and fully with the Estimates relating to their own country, and would give them the opportunity of so doing, it would save a great deal of the spirit of hostility which often arose. This year the Irish Estimates were to be put off just as in previous years, and they were not to have an opportunity of fairly discussing matters of the highest possible moment to the Irish people. It unfortunately happened that Ireland was a distinct country, and hon. Gentlemen, by their treatment, tended to make it more distinct every day. The Chancellor of the Exchequer, whether he was addressed by way of appeal, whether it was attempted to press matters on his attention by a course of conduct which tried the forbearance of his Party, or whatever was done, answered with courteous words, and nothing else. He confessed that he considered the courtesy of the Chancellor of the Exchequer an aggravation of the injury, for the bland manner of the right hon. Gentleman only deprived them of the poor luxury of picking a quarrel. He protested against the way in which the Irish Members had been treated, and he asked the Chancellor of the Exchequer to bring forward the Irish Estimates at such a time as would enable Irish Members to discuss them fully.

Mr. BIGGAR seconded the Motion of the hon. Member for Dungarvan for the adjournment of the House. In doing so, he was bound to make a few remarks on the observations which the right hon. Gentleman in the Chair had addressed to his hon. Friend the Member for Meath (Mr. Parnell). From his (Mr. Biggar's) experience of the House, he believed it would be impossible for anyone to speak without repetitions. He had known cases in which eminent Members of the House and practised speakers had repeated themselves in exactly the same words. The first case which occurred to him was that of the right hon. Gentleman the Member for the City of London (Mr. Goschen), who was First Lord of the Admiralty in the late Administration. In speaking last Session, the right hon. Gentleman had, on one occasion, as pointed out to him (Mr. Biggar), by the hon. and learned Gentleman the Member for the County of Cork, used the same expression four times in one speech. He (Mr. Biggar) remembered on another occasion noticing the utterances of the hon. and learned Gentleman the late Attorney General for England, and he found that the hon. and learned Gentleman repeated himself at least 10 times in a speech of 15 minutes. He also remembered that on one occasion the late Attorney General for Ireland repeated himself 20 times in a 10 minutes' speech. In saying this, he did not mean to infer that he had forgotten the position in which a speaker was placed by the action of those who preceded him; but he wished to show that his hon. Friend the Member for Meath was not guilty of a thing which did not fall to the share of other hon. Members in the House. Having said so much, he would proceed to give shortly his reasons for seconding the Motion for the adjournment of the House.

Mr. DALRYMPLE rose to Order. He wished to ask, whether it was competent for any hon. Member, at that stage, to move the adjournment of the House?

Mr. SPEAKER: The original Question was, that on Wednesday this House resolve itself into Committee of Supply. No doubt it is competent for any hon. Member to move the adjournment of the House on the debate upon that Question.

Mr. BIGGAR said, he supported the Motion for adjournment, because the Chancellor of the Exchequer had not replied to the questions of the hon. Gentleman the Member for Meath. Irish Members believed that a great many things relating to these Estimates required to be discussed and re-modelled; and in the interests not of the Irish Members but of the public service he asked the Chancellor of the Exchequer to give every possible opportunity for that discussion.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. O'Donnell.*)

Sir JOSEPH M'KENNA hoped his hon. Friend the Member for Dungarvan would not persevere in his Motion for the adjournment of the House. While agreeing as to the importance of the Irish Estimates, he regretted that hon. Members should have wasted many minutes in the discussion. The Motion for adjournment had better be withdrawn.

Mr. PARNELL thought he might be allowed to enter somewhat freely into the matter, because he had been called to Order for repeating himself. He admitted that if he had repeated himself he was in a position which rendered him much more likely so to commit himself than was occupied by many hon. Members. Of course, he was more likely to fall into the error of repetition than the older Members of the House, and who were more experienced and more practised speakers. But he tried to repeat himself as little as possible. It was a thing he as much objected to do as he regretted to hear. He wished to point out to the House that the Chancellor of the Exchequer had not answered the question he had put to him—namely, as to whether he intended to postpone all the Irish Estimates until the Intermediate Education Bill was introduced into the House of Lords? That really meant—Did the Chancellor of the Exchequer intend to make the whole of the Irish Estimates wait upon the Queen's Colleges Estimates? He thought he had drawn a strong distinction between the Queen's Colleges and other Estimates; but the Chancellor of the Exchequer did not seem to notice that one part of his inquiry at all, although, as the right hon. Gentleman in the Chair had properly said, he had dwelt upon it and repeated it several times. Therefore, he thought that part of his inquiry might have pressed itself more upon the Chancellor of the Exchequer than it had done; and he might have told the House what he intended to do with regard to the other Irish Estimates. He could not help seeing, after what had dropped from the Chancellor of the Exchequer, that these Queen's Colleges Estimates might be further postponed. He hoped the Estimates would not be left until a time when they would be obliged to take everything for granted, and he asked the Chancellor of the Exchequer to tell the House when he would take them?

Mr. NEWDEGATE protested against the time of the House being wasted in these unseemly discussions, and pointed out that the hon. Member for Meath (Mr. Parnell), and the hon. Member for Dungarvan (Mr. O'Donnell), by the course they were taking, were arrogating to themselves the right to regulate the Public Business of the House. The Estimates, being a part of the Business of the House, were, both by ancient custom and the Standing Orders, committed to Her Majesty's Ministers for regulation. The hon. Member for Meath had proposed to violate another Rule of the House by proposing that the Estimates should be taken on Tuesday, a day unusual for such a purpose, and upon which the Estimates could not be taken, without a suspension of the Standing Orders. He merely wished to call attention to what had happened during the last half-hour, which had been deliberately wasted by hon. Members opposite, because it tended to strengthen his impression that it was absolutely necessary that the House should frame for itself some Rules to prevent what he must consider a gross abuse of its Privileges.

Mr. DILLWYN rose because, he said, he was desirous that they should conform to the ruling of the right hon. Gentleman in the Chair, and to the Rules of the House. His hon. Friend the Member for North Warwickshire (Mr. Newdegate) had referred to an attempt to violate the Rules of the House by taking the Estimates that day—Tuesday—instead of on Wednesday. He should like to know, whether there was any Rule to prevent Supply being taken on Tuesday; and whether it was out of Order to move the adjournment of the House on the Motion for going into Supply on Wednesday?

Mr. NEWDEGATE said, his hon. Friend had misunderstood him. He did not say it was irregular to move the adjournment of the House; but that the manner in which the time of the House had been wasted for half-an-hour was an abuse.

Mr. DILLWYN did not refer to the Motion for adjournment; but he understood the ruling was that Supply was to be taken by Standing Order only on Wednesday. He fancied he must have been mistaken with regard to that; and he wanted to know whether there was any Rule which would prevent the hon. Member for Meath, or anybody else, from moving an Amendment that Supply be taken on Tuesday, instead of Wednesday? He was quite aware that the Standing Order provided that Supply should be taken on Wednesday; but he was not aware that such Standing Order or Rule would prevent Supply being taken before Wednesday. He merely wished for information, because he was always desirous of obeying the ruling of the right hon. Gentleman in the Chair.

Major NOLAN remarked, that that was the sixth time the hon. Member for North Warwickshire (Mr. Newdegate) had urged the House to take stringent measures against hon. Members from Ireland, so that in this respect his conduct had been perfectly consistent. The object of the hon. Member was to incite the House to take strong measures; but he (Major Nolan) hoped the House would not be actuated by any such feeling of hostility towards any section of hon. Members. He could fancy that the conduct of the hon. Member would be quite consistent if he were sitting in the French Convention of 1793, where if a man was in a minority he ran a chance of getting his head cut off.

Mr. O'SHAUGHNESSY said, the hon. Member for North Warwickshire (Mr. Newdegate) had made two points. The first was, that it was out of Order, and a breach of the Rules, to set up Supply for Tuesday night; and the next, that it was contrary to the traditions of the House, and an interference with the functions of the Government, to attempt to suggest anything with regard to dealing with the Estimates. He begged to protest most strongly against such a doctrine. Surely, if any hon. Member considered that any arrangement made by the Government for taking the Estimates concerning any particular branch of the public service was such as to preclude a proper discussion upon them, he had the Constitutional right to stand up and ask for some other arrangement to be made, in order that a full and proper discussion might take place. The hon. Member for North Warwickshire had made an indirect appeal to the House to take strong measures against the hon. Member for Meath, in order to repress what was, undoubtedly, their Constitutional right. He had to say, in answer to that suggestion, that any strong measures which were taken against the four or five Irish Members who had insisted upon opportunities for discussing these Estimates would bring to the front not five but 50 Irish Members who would insist on their rights.

Mr. GRAY said, the hon. Member for North Warwickshire (Mr. Newdegate) had characterized an attempt to elicit from the Government an intimation as to when they would bring on certain Irish Estimates as an abuse, and had endeavoured to incite the House to use strong measures to repress the right which was now enjoyed of free speech in that House. It was a fair question, whether the hon. Member was himself in Order in making such a suggestion, seeing that he was one of the Members of the Select Committee which was then sitting to consider whether any amendment in the Rules for regulating the mode of procedure in that House should be adopted or not. He (Mr. Gray) should not follow the hon. Member's example, and attempt to prejudice the House as to what changes in the Rules they should adopt; but he thought that if the House were in a position to consider this matter dispassionately, it would be much more important to discuss the conduct of the hon. Member for North Warwickshire in attempting to prejudice the House against certain hon. Members, he being a Member of the Select Committee now having the Business of the House under their consideration.

MR. SPEAKER: I have to observe, with reference to the question raised by the hon. Member for Swansea (Mr. Dillwyn), that the Committee of Supply can only be fixed by a Minister of the Crown; and that, according to the Standing Order, the Committee of Supply must be fixed for Monday, Wednesday, or Friday. I apprehend, however, that it might be open to any hon. Member to move, as an Amendment, that some other day should be substituted, when the Government has given Notice of their intention to take Supply on a particular day. The Question is, that this House do now adjourn.

Question put, and *negatived.*

Original Question put, and *agreed to.*

Committee *deferred* till *Wednesday.*

SUPPLY—REPORT.

Supply [6th June],—Further Proceeding on Report [7th June] *resumed.*

(23.) "That a sum, not exceeding £580,045, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Expense of the Post Office Packet Service."

(24.) "That a sum, not exceeding £743,372, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1879, for the Salaries and Working Expenses of the Post Office Telegraph Service."

Twenty-third Resolution read a second time.

Motion made, and Question proposed,

"That a sum, not exceeding £580,045, be granted for the Post Office Packet Service."

MR. FRASER-MACKINTOSH said, that there was included in the Vote a sum of £260 for conveying the mails betwixt Dunvegan and Lochmaddy, and he regretted to state that the postal service altogether in the Outer Hebrides was most ineffective. The Postmaster General must be aware that the counties of Inverness and Ross, and the town of Inverness, assembled in public meetings, had passed resolutions condemnatory of the service, and remonstrances from other quarters had often been made, as yet without effect. The passage was generally stormy, no sailing packet could make it regularly, and nothing short of a steam service to Lochmaddy would suffice. It was the case that letters were sometimes received in Inverness from America within a shorter period than from parts of the Long Island. There were two banks in the district, which was a populous one, and at certain periods of the year a large business connected with the fisheries was carried on. The answer hitherto given by the Post Office was, that the revenue being so small, no further accommodation could be given. This view of the Post Office, that it was a source of revenue, was only a modern one; and, while he should be glad to see a surplus, it ought to be after the requirements of the public were fully satisfied. The people in the district in question paid taxes like others of the Queen's subjects; and he thought their case, so remote, and in many respects hard, was one peculiarly calling for the consideration of Government. Here he might rest, having stated the grievance, leaving it for the postal authorities to remedy it. But he would suggest that, as the Highland Railway and its connections carried the Northern Scottish mails, and had lately contracted for the mails to the Orkney Isles, performing all the services to the satisfaction of the Post Office, the Postmaster General should put himself in communication with the Railway Company, so as to have steam service betwixt Strome Ferry and Lochmaddy. To put himself in Order, he would now move the reduction of the Vote by the sum of £260.

Amendment proposed, to leave out "£580,845," in order to insert "£579,085."—(*Mr. Fraser-Mackintosh.*)

Question proposed, "That £580,045 stand part of the Resolution."

LORD JOHN MANNERS said, he was not aware that the hon. Member was going to bring forward this subject, or he would have refreshed his memory upon it. But he was quite aware of the importance of the subject; and he ventured to point out to the hon. Member that if he omitted from the Vote the small sum he proposed, there would be no postal service at all with these Islands—a result that the hon. Member would be the first to deprecate. He would be glad to confer with him, and see if some arrangement could be made to meet his views.

Amendment, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Subsequent Resolution *agreed to.*

CRIMINAL CODE (INDICTABLE OFFENCES) BILL.—[BILL 178.]

(*Mr. Attorney General, Mr. Solicitor General, Mr. Assheton Cross.*)

SECOND READING.

Order for Second Reading read.

MR. MORGAN LLOYD trusted his hon. and learned Friend the Attorney General would not persist in pressing forward the second reading of the Bill at that period of the night. Although he (Mr. Morgan Lloyd) was in favour of the measure, yet it contemplated making such great changes in the law, that he thought they ought not to give it a second reading without an opportunity of having its principle fully discussed.

MR. HERSCHELL hoped his hon. and learned Friend (Mr. Morgan Lloyd) would not oppose the second reading, by agreeing to which they would be committing themselves to nothing. They were all agreed as to the principle of the Bill, which was merely a consolidation and simplification of the law. The alterations proposed were so very important, and would lead to so much discussion, that he thought the several points could be better considered in Committee on the clauses than by a general discussion on the second reading.

MR. BIGGAR also hoped the second reading would not be opposed, believing that in the case of a Bill of such magnitude and importance it would be impossible to discuss the details before they were in Committee. The Bill proposed to do away with a great many acknowledged abuses, and there should be no obstacle thrown in the way of making progress with it.

THE ATTORNEY GENERAL (Sir JOHN HOLKER) said, he sincerely hoped that the Bill would be passed that Session, and he did not see why there should be any difficulty in the accomplishment of that object. As the hon. and learned Member for Durham (Mr. Herschell) had said, the main object of the Bill was to consolidate and simplify the law; and no doubt, in addition to that object, it proposed certain alterations and great amendments in the law, which would have to be discussed. It would not be reasonable to suppose that alterations of the importance of those introduced by the Government in this measure could be allowed to pass into law without full and adequate discussion; but there would be abundant opportunities of discussing those *seriatim* when the Bill came before the Committee. He, therefore, earnestly hoped that his hon. and learned Friend opposite (Mr. Morgan Lloyd) would not oppose the second reading of this Bill.

MR. MORGAN LLOYD asked the hon. and learned Attorney General whether, if he (Mr. Morgan Lloyd) consented to withdraw his opposition now, the hon. and learned Gentleman would give them an opportunity of discussing the Bill on going into Committee? It seemed to him that there was great inconvenience in having a measure of that sort go into Committee without an opportunity being afforded of discussing some of the important principles which it contained. If that opportunity was to be afforded, he should be perfectly prepared to withdraw his opposition at the present moment.

SIR JOSEPH M'KENNA hoped the hon. and learned Attorney General would not give any such assurance. It was not at all convenient to the House that such an undertaking should be given in matters of this kind. It would be much better to take the sense of the

House on the second reading; because the almost universal opinion of the House was in favour of the principles of this Bill.

MR. SHAW LEFEVRE thought the proposal of his hon. and learned Friend the Member for Anglesea, that an opportunity should be afforded of discussing the Bill on going into Committee, was a very reasonable one; and he hoped the Government would put down the Bill as the first Order of the Day on going into Committee, so that an opportunity might be given to Members of expressing their opinions on the Code as a whole. Subject to this, he had no objection to now reading the Bill a second time.

MR. ASSHETON CROSS said, he had, in conjunction with his hon. and learned Friend the Attorney General, taken some trouble in this matter, and he hoped the advice of the hon. and learned Member for Durham (Mr. Herschell) would be followed. There could be no advantage in discussing the Bill on general principles; but if they were going to discuss it at all let them discuss it now, and not on going into Committee.

Bill read a second time, and *committed* for *Thursday.*

WEIGHTS AND MEASURES (*re-committed*) BILL.—[BILL 143.]

(*Mr. Edward Stanhope, Sir Charles Adderley, Mr. Attorney General.*)

COMMITTEE.

Order for Committee read.

Moved, "That the Committee upon the Bill be fixed for Friday afternoon next, at Two of the clock."—(*Mr. Chancellor of the Exchequer.*)

SIR CHARLES W. DILKE said, he did not think that a Morning Sitting should be taken on Friday without more Notice than this. Surely the House ought to have some due, timely, and formal intimation of the intention of the Government in regard to the matter. It was an unusual thing to have Morning Sittings on Fridays at the present period of the year; and, under these circumstances, he must oppose the Motion.

THE CHANCELLOR OF THE EXCHEQUER hoped that the Motion would be agreed to. A period of the Session had now been reached when it had been usual, for many years, that Morning Sittings should commence. [Sir CHARLES W. DILKE: But not on Fridays.] He believed that what he had just stated held good both in regard to Tuesdays and Fridays; and he had no doubt it would be for the general convenience of the great majority of the House that there should, for the remainder of the Session, be Morning Sittings on those days. Of course, he was aware that such Sittings entailed upon the Government a corresponding obligation to do the best they could in order to keep a House in the evenings; and that they were most anxious to do. He hoped hon. Members would feel that it was really for the general advantage that they should get on with Business as well and as rapidly as they could; and the Morning Sittings constituted a favourable opportunity for proceeding with Bills which were already in Committee.

MR. DILLWYN said, that to the best of his recollection, it was early in the Session to take two days a-week for Morning Sittings. They were now only in the middle of June, and a considerable time must yet elapse before their labours were brought to a close. Never, within his recollection, had it been proposed to take Morning Sittings on Tuesdays and Fridays at so early a period. But there was another consideration which ought not to be left out of sight in connection with such Sittings; and that was, that they precluded from attendance in the House, to a greater or less extent, of hon. Members who were engaged on Select Committees. That was an element which did not appear to him to have been sufficiently considered in suggesting the proposed arrangement.

THE CHANCELLOR OF THE EXCHEQUER said, he would name Thursday for the Bill instead of Friday; and, meantime, he would look into the records of the House as to Morning Sittings.

MR. BIGGAR observed, that the hon. Member for Stafford (Mr. Macdonald) had an important Motion on the Paper for Friday with reference to the miners of the country, and he hoped an opportunity would be afforded to the hon. Gentleman of bringing that Motion forward.

Motion amended, and *agreed to.*

Committee *deferred* till *Thursday.*

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL.

(*The O'Conor Don, Mr. Richard Smyth, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, Mr. Redmond.*)

[BILLS 44-215.] CONSIDERATION.

Order for Consideration, as amended, read.

MR. ONSLOW said, he did not know who had charge of the measure that evening; but if the Bill was to be put down evening after evening, and morning after morning, it was the duty of someone either to move that the Order for its Consideration should be discharged, or that it should be fixed for some day when hon. Members might know that it would be definitely disposed of. The Bill had been put down night after night before Easter, and night after night before the Whitsuntide holidays, and now it seemed likely that it would be put down night after night again. He moved, as an Amendment, that Consideration of the Bill be definitely fixed for Monday, July 1st.

MR. SPEAKER pointed out to the hon. Member that, according to the usual course followed in the House, the Member in charge of a Bill named the time for its Consideration as amended. To move that the Order for that Consideration should be discharged, in the absence of an hon. Member in charge of a Bill, might cause the greatest inconvenience; and was a proceeding which was never taken without due Notice.

MR. ONSLOW said, he should be the last person in the House to do anything irregular; but he begged to give Notice, that when anyone who appeared to have charge of the Bill stated to the Clerk at the Table that he desired it to be considered on such and such a day, he would move that the Order be discharged.

Consideration, as amended, *deferred* till *Thursday*.

COLLECTION OF RATES (DUBLIN) BILL.

LEAVE. FIRST READING.

Motion made, and Question proposed,

"That leave be given to bring in a Bill 'to amend the Law relating to the Collection of Rates in the city of Dublin; and to the office of the Collector General of Rates; and for other purposes.'"

MR. M. BROOKS said, that before the Question was put, it would be convenient if the House received some statement on the subject of the Bill. He hoped that if the right hon. Gentleman the Chief Secretary was unable to make a statement in the House, they would hear that the Report of the Commission, and the evidence relating to the subject, would be laid on the Table immediately.

MR. GRAY said, the matter was in a very anomalous condition. About a week ago he addressed a Question to the right hon. Gentleman the Chief Secretary for Ireland. He had asked the right hon. Gentleman when the Report would be placed on the Table, when it would be in the hands of hon. Members; and, whether a copy of it had been supplied to an individual Member before it had been supplied to Members generally? and the reply which he received from the Chief Secretary was to the effect that his own copy had been shown to one hon. Member of the House, and that the delay which had taken place in connection with the Report had been occasioned by the printers in Dublin. From his (Mr. Gray's) knowledge of the printing office in that city, he should be inclined to think that the Chief Secretary had been under a mistake in thinking the delay arose from that cause. But if it was intended to delay the production of the Report for a long period, so far as the House generally was concerned, he still thought that a copy of it might be placed on the Table of the House, in order that Members might have an opportunity of perusing it.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, the Report and the Evidence would be laid upon the Table in a few days. The Chief Secretary was, he believed, quite accurate, at he time he spoke, as to the cause of the delay in printing the Report. The Minutes of the Evidence were not then printed, and he himself had only read the Report which had been given to the Chief Secretary.

Question put, and *agreed to*.

Bill to amend the Law relating to the Collection of Rates in the city of Dublin; and to the office of the Collector General of Rates; and for other purposes, *ordered* to be brought in by MR. JAMES LOWTHER and MR. ATTORNEY GENERAL for IRELAND.

Bill *presented*, and read the first time. [Bill 220.]

PARLIAMENTARY REPORTING.

NOMINATION OF SELECT COMMITTEE.

THE CHANCELLOR OF THE EXCHEQUER nominated the Select Committee on Parliamentary Reporting as follows :—

Mr. WILLIAM HENRY SMITH, Mr. WILLIAM EDWARD FORSTER, Viscount CRICHTON, Mr. LYON PLAYFAIR, Sir ALEXANDER GORDON, Mr. WALTER, Lord FRANCIS HERVEY, Mr. DUNBAR, Mr. HALL, Mr. MITCHELL HENRY, Sir HENRY WOLFF, Mr. BARCLAY, and Mr. MILLS :—Power to send for persons, papers, and records; Five to be the quorum.

SIR CHARLES W. DILKE said, he had reason to know that there were not a few hon. Members who were dissatisfied with the constitution of the proposed Committee. There appeared to be some hon. Gentlemen on the Committee who were without any special knowledge of the facts connected with the present system of reporting in the House; but there were also others who while acquainted with, and capable of giving information upon, the subject, had been picked from one class only. If the London Press was to be represented in any way upon the Committee, it was equally desirable that the country Press should be represented. There were several hon. Gentlemen in the House, connected with country journals, whom it would be of advantage to have upon the Committee. As to the first two names — those of the right hon. Member for Westminster and the right hon. Member for Bradford—he could not conceive that there would be any objection on the part of any hon. Member of the House; but on the third name — that of the noble Viscount (Viscount Crichton)—he thought it desirable to raise the whole question of the constitution of the Committee, which he did not think was, as it had been proposed, fairly representative of the desire and feeling of the House in so delicate and important a matter as that of Parliamentary reporting.

MR. WHITWELL said, his feeling was that no hon. Gentleman who was connected with reporting in the Gallery ought to be upon the Committee. The proceedings of the Committee, and its ultimate decision, would be much less likely to be called in question, if it were composed of hon. Gentlemen who were entirely independent on this particular matter.

MAJOR NOLAN must say that, so far as this Committee went, he thought the Irish Members had been extremely fairly treated. Two Irish Representatives had been proposed to have seats upon it—the hon. Member for Galway (Mr. Mitchell Henry), who had first drawn attention to the whole question, and the hon. Member for New Ross (Mr. Dunbar), who had been formerly in the Reporters' Gallery, but who was now totally unconnected with the Press in any shape or form. There were other two hon. Members of the Irish Party who had had considerable experience in connection with the Irish Press; but one did not wish to serve, and the second waived his claims in favour of the two hon. Gentlemen whom he had mentioned.

SIR JOSEPH M'KENNA was not aware that any complaint had been made as to the Irish Members having been unfairly treated in the constitution of the Committee. He hoped that the hon. Member for Glasgow (Dr. Cameron), who possessed special knowledge on the subject, would be placed upon the Committee.

MR. GRAY said, the hon. Member for Galway (Mr. Mitchell Henry) had suggested to him to have his name added to the Committee; but he had declined, because he was connected with the Press, and desired, therefore, not to be upon a Committee, when it might be supposed that he was actuated by personal interest or predilection one way or another. He was surprised, however, to see amongst the list of those who were to constitute the proposed Committee the names of two hon. Gentlemen, both of whom were connected with the London Press. One complaint which had often been made on this subject was that the reports of the proceedings of the House were managed altogether by London journals, to the exclusion of Provincial newspapers. That being so, the constitution of the Committee was evidently faulty. Gentlemen who might be interested in a continuance of the present monopoly, or in changes which might be supposed to result to their own advantage, directly or indirectly, should not be upon the Committee at all. If they were to be put on, then there should also be Representatives of the Provincial Press.

Mr. SHAW LEFEVRE desired to point out to hon. Members that at present the proposed Committee consisted of only 13 names; and that it would be quite possible to add four names to those 13, without exceeding the limits and dimensions of a Committee on a matter of this importance. Of such additional names, he hoped that that of the hon. Member for Newcastle (Mr. J. Cowen) would be one.

The CHANCELLOR of the EXCHEQUER said, 13 names had been taken to begin with, in the expectation that others would be added. At the same time, the constitution of a Committee of this description was a matter of some difficulty. On the one hand, it was desirable to have a sufficient number of hon. Gentlemen upon it who had practical knowledge on the subject, and who would put questions which would bring out important information; but, on the other hand, it was also desirable that a considerable proportion of the Committee should consist of hon. Gentlemen who had not altogether that technical knowledge and experience, but who could bring common sense and sound judgment to bear on the matters they were called upon to consider. He thought it would be desirable that there should be placed upon the Committee some hon. Gentlemen who would be able to represent the London Press and also the Provincial Press—not for the sake of getting their views upon questions on which the interests of the one or the other might seem to come into collision, but for the purpose of extracting solid and substantial information. Of course, the position of those who were beyond reach of the London morning papers was different from that of men in Scotland or in the North of England; and it was especially important that the interests of the former class should be attended to. He hoped that the Committee, as proposed, would be agreed to; but he would be perfectly prepared, at a later date, to add four other names.

Sir CHARLES W. DILKE said, that after what had just been stated by the Chancellor of the Exchequer, he would not offer any opposition to the Committee as originally proposed. He hoped, however, that the names which were to be added to it would include those of some two out of the hon. Members for Tipperary, Glasgow, and Newcastle.

Motion *agreed to.*

And, on June 20, Sir Henry Holland, Mr. Hutchinson, Mr. Cowen, and Major Arbuthnot *added.*

PUBLIC HEALTH ACT AMENDMENT (INTERMENTS) BILL.

On Motion of Mr. Marten, Bill to amend "The Public Health Act, 1875," as to Interments, *ordered* to be brought in by Mr. Marten, Mr. Greene, and Mr. Cole.

Bill *presented,* and read the first time. [Bill 221.]

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, 18*th June,* 1878.

MINUTES.]—Public Bills—*Second Reading*—Inclosure Provisional Order (Llanfair Waterdine) * (115); Tramways Orders Confirmation (No. 2) * (122); Local Government (Ireland) Provisional Order Confirmation (Artizans' and Labourers' Dwellings) (Cork) * (117); Local Government Provisional Order (Darenth Valley) * (120); Local Government Provisional Orders (Belper Union, &c.) * (118); Local Government Provisional Orders (Dawlish, &c.) * (121); Local Government Provisional Orders (Bournemouth, &c.) * (119); Local Government Provisional Orders (Abergavenny Union, &c.) * (116).

Committee—Report—Elementary Education Provisional Order Confirmation (Portsmouth) * (108).

Third Reading—Local Government Provisional Orders (Artizans' and Labourers' Dwellings) * (101); Public Health (Scotland) Provisional Order (Lochgelly) * (102), and *passed.*

Their Lordships met;—and having gone through the Business on the Paper, without debate—

House adjourned at half past Five o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 18*th June*, 1878.

MINUTES.]—Public Bills—*Second Reading*—Elementary Education Provisional Order Confirmation (London) * [201]; Local Government Provisional Orders (Ireland) Confirmation (Downpatrick, &c.) * [210].

Select Committee—Epping Forest * [188], *nominated.*

Committee — Roads and Bridges (Scotland) [4] —R.P.

Considered as amended—Tramways Orders Confirmation (No. 1) * [207].

Third Reading — Inclosure Provisional Order (Orford) * [189]; Tramways Orders Confirmation (No. 3) * [208], and *passed.*

The House met at Two of the clock.

PUBLIC PETITIONS.

PARLIAMENT — PUBLIC PETITIONS—THE INDIAN PRESS LAW — POINT OF ORDER.—OBSERVATIONS.

Mr. GLADSTONE: Mr. Speaker, I have to present a Petition from a public meeting of the inhabitants of Poonah, on the line of railway from Bombay, and from certain members of a religious society there, called the "Reformed Hindoos," on the subject of the recent law relating to the vernacular Press. The Petition contains an elaborate and able argument against that law, and it closes with a prayer, which runs as follows:—

> "Your Memorialists pray that your honourable House, as the only authority to whom Her Majesty's subjects can appeal for redress and protection against the arbitrary acts of the authorities in India, will not only condemn the measure which forms the subject of the present appeal, but will also make the further continuance of the present policy impossible, and ensure the progressive freedom of Her Majesty's Indian subjects by enlarging the representative element in the Legislative Council of India, and by the adoption of such other measures as to your honourable House may seem fit. And your Memorialists will ever pray," &c.

The House will see, Sir, that in substance this is a real and a regular Petition, concluding with a prayer to the House; but I am desirous to call the attention of the House and your attention to two points in which it is deficient in regularity. In the first place, it is not called a Petition at all, but a Memorial, and in the words I have just read the Petitioners describe themselves as Memorialists. Over and above that, between the Petition and the first signature occur these words—"We beg to remain, honourable Sir, your most humble Memorialists." It is quite evident to me, Sir, that this is a clerical error, because the substance of the Petition, as the House will see from what I have read, is addressed to the House——[The Chancellor of the Exchequer: How is it headed?] It is headed—"Memorial to the Honourable the Commons of the United Kingdom in Parliament assembled." I propose, therefore, upon my own responsibility, being quite convinced that these words constitute a clerical error, to strike out the intruded words; and if you, Sir, are of opinion that that proceeding is proper, to present the Petition in the usual manner.

Mr. SPEAKER: I have examined the document in the hands of the right hon. Gentleman, and, although termed a Memorial, it is substantially a Petition properly worded, and concluding with a prayer. I apprehend that, under the circumstances, although the document is termed a Memorial, it may be received if the House should think proper.

Petition *brought up;* and *ordered* to lie upon the Table.

QUESTIONS.

THE TREATMENT OF PRISONERS.
QUESTIONS.

Mr. JACOB BRIGHT asked the Secretary of State for the Home Department, If it is true that Mr. G. H. Clarke, of Ironville, Derbyshire, who was sent to prison on May 20th for refusing to vaccinate his child, has not been allowed to receive a letter from his family; and, if so, whether all prisoners are treated with equal rigour?

Mr. ASSHETON CROSS, in reply, said, that debtors were allowed considerable privileges in regard to the receiving of letters; but that, as far as ordinary prisoners were concerned, no distinction was made between one class and another in their treatment whilst in prison. Of the particular case referred to he knew nothing; but he might say that prisoners were warned before trial that visits and letters would be limited, so that they might arrange their affairs if convicted; and, after their conviction, they had always an opportunity of sending to their friends to complete those arrangements. If the fact in this particular case was as stated in the Question, there must have been some mistake.

Mr. PARNELL asked, Whether prisoners confined for breaches of the Vaccination Laws were compelled to sleep on a plank bedstead like other prisoners?

Mr. ASSHETON CROSS, in reply, said, that no distinction was made between any prisoners confined for non-payment of fines.

ARMY — CAVALRY FORCE AT LONGFORD.—QUESTION.

Mr. ERRINGTON asked the Financial Secretary to the War Office, Whether, if the accommodation at Longford Barracks is found to be insufficient for the head-quarters of a regiment, he will, out of consideration to a town so long an important military station, quarter there at all events more than one troop, or consider the expediency of sending there in addition an infantry detachment?

Colonel LOYD LINDSAY, in reply, said, that it was not proposed at present to increase the Cavalry Force at Longford; but, that in course of time, an addition might possibly be made to it.

THE CURRENCY—SMALL SILVER COINAGE.—QUESTION.

Mr. Serjeant SIMON asked Mr. Chancellor of the Exchequer, If his attention has been called to the great inconvenience now arising from the scarcity of small silver coin, especially of shillings and sixpences, and to the undue proportion of two shilling pieces now in circulation; and, whether he will direct inquiry into the subject with a view to a remedy?

The CHANCELLOR of the EXCHEQUER, in reply, said, he had heard complaints, and he believed they were not infrequent, as to the supposed dearth of small silver coins, especially sixpences. From inquiries he had made, however, he had ascertained that the dearth, if such there were, did not arise from any failure on the part of the Mint to provide a proper stock of coin. He was informed that at the present moment the stock in the Mint ready for issue was as follows:—Shillings, to the amount of £13,000; sixpences, £19,000; and threepences, £3,000. A much larger amount of shillings and sixpences, he believed, was in stock at the Bank of England, through which all silver coins except threepences were issued to the public, the latter coins being issued by the Mint. The demand for silver coin at the Bank was very small at present owing to the depression of trade, and no difficulty was experienced by the authorities in meeting it. The explanation of the scarcity referred to no doubt was that small coins gave considerable trouble to bankers, and that bankers consequently were apt to give their customers an undue proportion of heavy coins, though they could always obtain any quantities of silver coin they required at the Bank. Perhaps if the hon. and learned Member put a little pressure on his bankers, the inconvenience he complained of would disappear.

PARLIAMENT—MORNING SITTINGS.

OBSERVATIONS.

The CHANCELLOR of the EXCHEQUER thought it well to take that opportunity of explaining the intentions of the Government in reference to Morning Sittings. He had referred to the time at which Morning Sittings had begun of late years, and found that last year Morning Sittings on Tuesdays and Fridays occurred pretty regularly from the 12th June, and in the year before from the 13th and 23rd June, whilst in the year before that they also began about the same time. Under these circumstances, he thought it not unreasonable that the Government should take Morning Sittings, as a general rule, on Tuesdays and Fridays till the end of the Session. The hon. Member for Stafford (Mr. Macdonald) had an important Motion down for Friday evening next; but he could promise him a good probability of an Evening Sitting.

Mr. MACDONALD said, he was quite ready to agree to the arrangement, and, under the circumstances, would not object to the Morning Sitting.

ORDERS OF THE DAY.

—∞o∞—

ROADS AND BRIDGES (SCOTLAND) BILL—[BILL 4.]

(*The Lord Advocate, Sir Henry Selwin-Ibbetson.*)

COMMITTEE. [*Progress June 4th.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 24 (Regulations as to meetings and proceedings of trustees, board, and district committees).

DR. CAMERON proposed to omit the following words, after the word "meeting," in the 7th sub-section:—

> "But this provision shall not prevent a person whose name is entered on the list of commissioners of supply as factor for more than one proprietor from voting on behalf of each such proprietor, in his absence, at a meeting of the trustees."

The hon. Member said, the rule was that no trustee had a second vote, with the exception of the chairman, who had a casting vote when the votes were equal. But this clause made an important exception, by allowing factors to have as many votes as might be given by the proprietors whom they represented if those proprietors happened to be present. He thought this was a very objectionable arrangement. The commissioners of supply were proprietors, or factors who represented proprietors, having a rental of more than £800 a-year; but a proprietor who possessed property worth £4,000 a-year had—not five votes—but a single vote. He therefore thought it was evident that the commissioners of supply, and the trustees constituted out of them, voted as commissioners of supply, and not in respect of any property qualification except that which was absolutely necessary for a commissioner of supply. He could not see why a factor who represented five proprietors having a rental of £800 a-year each should be entitled to five votes, whereas a proprietor whose aggregate rental was £4,000 a-year was entitled to only one vote. He did not think it was desirable to perpetuate under this Bill a system of proxy-voting, which had been done away with in all representative assemblies.

GENERAL SIR GEORGE BALFOUR said, that at a recent meeting of the Commissioners of Supply in Kincardine, it had been stated by one of the ablest advocates of Edinburgh—the Sheriff of the counties of Kincardine, Aberdeen, and Banff—that it was not within the competence of a factor, however many proprietors he might represent, to give more than one vote, and he wished to ask the Lord Advocate if this were not the law on the subject? He could not see any reason why there should be a different law under this Bill from what was the case in regard to other county assemblies. If the Lord Advocate would tell them what was the law, they would be able to understand why this new requirement was proposed for Scotland.

SIR GRAHAM MONTGOMERY said, he could not say what the law might be; but he could assure the hon. and gallant Member who had just spoken (Sir George Balfour), that the practice was quite the contrary of what he had stated to be the law. It was the common practice for a factor to give two or three votes, according to the number of proprietors whom he represented. There was often a difficulty of getting a quorum at meetings of commissioners of supply; and therefore he thought it was very desirable to keep up voting by commission.

GENERAL SIR GEORGE BALFOUR said, he was perfectly aware that bad habits were practised at certain meetings in Scotland; but he would appeal to the Lord Advocate to state what the law of Scotland really was on this subject. He felt perfectly sure that the right hon. and learned Gentleman would not agree with the hon. Baronet in his interpretation of the law.

THE LORD ADVOCATE said, he was not competent to tell the hon. and gallant Member what the general practice was in county meetings in Scotland, as such practice had not come under his personal observation, and he had not sought for information on the subject. But he could unhesitatingly say, with respect to the Act which established the qualification of commissioners, that it was his opinion and belief that, according to law, a factor, although representing several proprietors whose rental was above the value of £800 a-year, was entitled to only one vote. The Statute simply declared that such factor should have the qualification of a commissioner; and a commissioner who might have half-a-dozen qualifications in the same county was only entitled to act as one commissioner.

Mr. FRASER-MACKINTOSH supported the Amendment of the hon. Member for Glasgow (Dr. Cameron). It was well known that the multiplication of votes in Scotland, by placing several mandates in the hands of one person, was an undoubted grievance. It was especially so in the case of parochial boards. With regard to what the Lord Advocate had just said, he could confirm the statement of the right hon. and learned Gentleman from the experience of his own county, where one person, if he was a commissioner in his own right, or as representing others, was entitled to only one vote. If cumulative voting were permitted, one man might control the whole of a meeting. Six individuals at a meeting really represented a diversified opinion; whereas one person holding six mandates could only represent one opinion.

Mr. MARK STEWART said, he had never heard of anything unfair being done under the system of plural voting. It frequently happened that a proprietor had property in more than two parishes, and it was a great consideration to proprietors to be able to delegate their powers to factors who were well acquainted with the land, and were experienced in the details of county management. Again, factors very often represented proprietors at important meetings, when those proprietors were not able to be present themselves. This would be the case with Scottish Members of Parliament, who could not always attend the meetings of the commissioners of supply, but who took a deep interest in the questions which were brought before the meetings. He thought it would be extremely hard on proprietors that they should be left out altogether because they could not attend the meetings; but they would be shut out if what was taken to be law by the hon. and gallant Member (Sir George Balfour) were to be acted on. It would, in his opinion, be unfair to many proprietors to adopt the Amendment, as they placed their power of voting in the hands of the best persons they could find to represent them; and no reason had been given by the Government for departing from the present practice. He therefore hoped the Amendment would not be pressed.

Mr. CAMPBELL-BANNERMAN said, the point was, whether there was any reason for departing from the present law as to voting? Whatever the practice in Scotland was, they had been told by the right hon. and learned Lord Advocate that the law was opposed to that which the Bill itself now suggested. If there was any special reason for the alteration proposed in the Bill he should be perfectly ready to listen to it; but he had not at present heard from the Lord Advocate why the alteration was made, and they were therefore discussing the question in the absence of that information. He thought the Government would do well not to insist on the acceptance of the clause as it stood. The hon. Member who had just spoken (Mr. Mark Stewart) had said that the Amendment would be very hard on absentee proprietors, who could not, if it were agreed to, be represented. But he (Mr. Campbell-Bannerman) supposed that factors who represented proprietors could express the opinions of those proprietors, and could defend their interests by words as much as they liked, although they might not be allowed to vote for as many masters as they served.

Mr. ORR-EWING said, he hoped that the Lord Advocate would agree to the Amendment of the hon. Member for Glasgow. If a proprietor were present at a meeting, it was very possible that he might change his opinion in the course of discussion, and give a different vote from that which his factor would have given for him. It was very annoying to proprietors who were present to find themselves outvoted by one man having several votes.

Mr. M'LAGAN said, he supported the Amendment, both in the interest of the public and in the interest of proprietors themselves. He thought that the more proprietors were called upon to look after their different districts, and the more they took an interest in their respective estates, the better it would be both for themselves and for others; but if they committed their affairs to the keeping of other men, and were never to be consulted as to the business to be brought forward at the county meetings, they would become mere cyphers in the hands of factors and agents. He also, as he had indicated, supported the

Amendment very much in the interests of proprietors themselves. A factor might represent not one proprietor, but several proprietors; and if a discussion took place at a meeting with regard to a particular road, an agent might vote in favour of the road being made or repaired, when this might be contrary to the interests of all but one of the proprietors whom he represented. An agent would thus be called upon to use the votes of absent proprietors in favour of a scheme which was prejudicial to their own interests.

THE LORD ADVOCATE said, he could see the difficulty which had been pointed out, and he had no objection, so far as he and the Government were concerned, to effect being given to the Amendment, on the understanding that this part of the Bill should be brought into harmony with what was the existing law.

Amendment *agreed to;* words *struck out* accordingly.

COLONEL ALEXANDER moved, as an Amendment, in page 15, to add at the end of the clause the following sub-section:—

> "(8.) The board or any district committee may appoint a committee or committees of their own number for the better execution of the powers hereby granted to them, and such committee shall report their proceedings to the board or district committee appointing them, and every act, order, or thing which shall be done, ordered, or performed by such committees, on being approved of by the board or district committee, shall be equally valid and sufficient as if ordered, done, or performed by the board or district committee."

THE LORD ADVOCATE said, he believed the committees would have under the Bill the powers which the proposed sub-section would give them; but he had no objection to those powers being expressed.

Amendment *agreed to;* sub-section *added.*

Clause, as amended, *agreed to.*

Clause 25 (Chairman to be elected, in absence of ordinary chairman); Clause 26 (District committees and board to make reports); and Clause 27 (Appeal from decision of district committee), severally *agreed to.*

Appointment of Officers.

Clause 28 (Appointment of county officers), *agreed to.*

Clause 29 (Appointment of district officers.)

MR. MARK STEWART proposed, as an Amendment, in page 16, line 19, to leave out the word "may," and to insert the word "shall." He said that it often happened that when things were going smoothly the committees actually forgot to call meetings, and did not make these appointments. It would be more convenient for the district committees to make all the appointments, subject, no doubt, to the consent of the board, instead of only some of them.

THE LORD ADVOCATE said, he must oppose the Amendment. The district committees must necessarily have a clerk and a treasurer, because they held meetings, and conducted their own administration; but, on the other hand, he thought it was a proper question for the general body of trustees to determine whether each district should be burdened with the expense of a separate surveyor and a separate collector. It might, in some cases, be convenient, and a great saving, to have one general collector for the various districts of a county; and there should, therefore, only be power to nominate the officers in each district when it was judged right by the general body of trustees. For that reason he thought the word "may" must stand.

MR. MARK STEWART said, he proposed afterwards to insert the words "with the consent of the board," to meet the point.

MR. RAMSAY said, he hoped the Lord Advocate did not infer that the word "may" in the clause meant "shall."

THE LORD ADVOCATE said, he did not infer that. If the word "shall" were used, it would make it the duty of the board to give their consent to the appointment of fit persons, and would make imperative the appointment of all the officers in each district.

Amendment *negatived.*

GENERAL SIR GEORGE BALFOUR said, he hoped the principle laid down by the Lord Advocate, of diminishing the number of officers employed in connection with the roads would be fully carried out. The greatest precaution should be taken to prevent the multiplication of offices. The direction in which economy was practicable under the abolished trusts was in placing large areas of roads under one officer, with subordinates for the executive duties.

Mr. J. W. BARCLAY said, that while agreeing with everything which the Lord Advocate had said as to the powers to be possessed by the district committees of appointing officers, he thought such appointments should be made with the consent of the general body of trustees. These were very important questions, and he considered that the general body of trustees should decide them. He would, therefore, move that before the word "board," in page 16, line 21, the words "trustees or" be inserted.

The LORD ADVOCATE said, he thought it was settled that the business to be transacted in a district, and requiring a clerk for its performance, was to be performed wholly by the district committee, and if they would turn to Section 26 they would see that this was so. He thought that any body of gentlemen selected as the committee of the district, and intrusted with the management of the district under this measure, would surely be fit to be intrusted with the selection of their clerk and treasurer, to write the minutes and keep their money. He should be happy to leave the other appointments to the district committees, if it were not for the consideration that it might be against the pecuniary interest of the county that they should make such appointments.

Mr. J. W. BARCLAY said, he thought the Lord Advocate had misapprehended the effect of what he proposed. The question was not whether the board should have the power to appoint its own officers, but whether the district committees should have the power of not only appointing clerks but surveyors. The Bill, as it stood, gave the board power to say whether the district committees should have a clerk and a surveyor; but he proposed that that power should be in the hands of the trustees, and not in the hands of the board. He also thought it would be more courteous to the district committees themselves, if the general body of the trustees settled this matter instead of the board.

Mr. M'LAREN said, it seemed to him that the clause was of more importance than the Lord Advocate considered it to be. He remembered—and he had refreshed his memory by looking up their proceedings—that the Royal Commission appointed to inquire into the state of the roads in Scotland found that there was a disposition to appoint a great number of clerks of separate trusts, and of separate divisions of trusts; and he thought he could point out where there were 81 offices in one county of clerks and surveyors. It was stated by one of the witnesses respecting Lanarkshire, for example, that those parties got £2,000 a-year among them. Independently altogether of the expense of maintaining the roads, the number of tolls and also of sub-tolls came to such a large proportion, that the different witnesses—among the rest Lord Belhaven, convener of the county of Lanark—gave it as their deliberate opinion, that under the system advocated by the promoters of this Bill, a saving of 25 or 30 per cent, as compared with the other system, would be effected. For these reasons, it was obvious that the Government could have no possible interest in the matter except to promote economy; and he thought that they should do all they could to place an embargo on the multiplication of little offices. In his opinion, the Government ought to accept the Amendment, as being calculated to effect that object.

General Sir GEORGE BALFOUR said, the hon. Member who had just spoken (Mr. M'Laren) had anticipated him in the remarks which he had made. An examination of the printed statements of outlay on the roads of Scotland would show a very large portion of the charges caused by salaries to officers of various descriptions. Assuming the roads of all kinds in Scotland to be between 22,000 and 24,000 miles in length, and the expenditure at £250,000, then the saving in salaries alone ought to be nearly £50,000. Consolidation would not only allow of saving in salaries, but in the details of work.

Mr. ORR-EWING said, he considered the Amendment was a ridiculous one. It would take away the responsibility from the board; and the fears of the hon. Member for Edinburgh (Mr. M'Laren) were much more likely to be realized with a large body of trustees than with a small body; for he (Mr. Orr-Ewing) had always found that a large body was more inclined to appoint a great number of officers than a small one.

The LORD ADVOCATE said, he was disposed, not to follow his hon. Friend (Mr. Orr-Ewing), but to accept the Amendment proposed by the hon. Member for Forfarshire (Mr. J. W. Barclay); and the more so, as he found that under Section 28 the trustees were intrusted with the appointment of the general surveyor of the county, and therefore the matter in question would rightly fall under Clause 29.

Amendment (*Mr. J. W. Barclay*) *agreed to.*

On the Motion of Mr. J. W. Barclay, the words "trustees or" were *inserted* in page 16, line 24, before the word "board."

Mr. MARK STEWART proposed, as an Amendment, the insertion, after the word "officer," in page 16, line 28, the words "with the consent of the board." He objected to the exclusive power being in the hands of the district committee in the appointment of officers. It was well known that there was considerable jealousy evinced in the exercise of such power, and that not unfrequently party spirit ran high, much feeling was shown, both political and religious; therefore, in his opinion, no appointments should be made without the consent of the board.

The LORD ADVOCATE feared he could not accept the Amendment proposed, for the reason stated. The appointment of some of the officers lay with the district committee; and, as regarded the others, it was for the trustees to determine whether such appointments should be made. He thought, under the circumstances, it would be a very unfortunate thing to take away from them a power of that kind. They were the proper persons to judge of the requirements of the case.

Mr. RAMSAY thought the hon. Gentleman who had proposed the Amendment (Mr. Mark Stewart) had not rightly considered the position in which he would be placed if he were a member of a district committee, or had to act for that committee in the capacity of their chairman. He thought the Amendment should not be adopted.

Amendment *negatived.*

The LORD ADVOCATE proposed a consequential Amendment in page 16, line 31, to leave out the word "board," and insert "trustees." As the clause stood, with reference to the appointment of officers, the boards were to give leave, subject to certain conditions. The trustees were also to give that leave, and therefore the clause, as it stood, was ambiguous.

Sir GEORGE CAMPBELL wanted to know if the trustees would have the power to appoint the officers for life? That would be a dangerous power to give them, inasmuch as influences might be brought to bear upon any one case. They might have district clerks, or officers of that kind, appointed for life, or for so long a term of years that, practically, they could not dismiss them, although they might not act in accord with the wishes of the Board.

The LORD ADVOCATE said, that the best answer he could give was to refer the hon. Gentleman to the words of the clause—"and every such officer shall be subject to removal at any time."

Sir GEORGE CAMPBELL: Yes, if the right of removal were not modified by special written agreement. Was it competent for the trustees to make an agreement for an appointment for life?

The LORD ADVOCATE thought not. The clause referred to the condition of the appointment, and set forth all that was necessary.

Mr. RAMSAY asked, if it would not be better to leave out the words—"Unless the power of removal be modified?" It was possible for the power to be abused, and he would suggest the omission of those words.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 30 (Salaries of county road officials. Allocation of general expenditure).

Mr. J. W. BARCLAY proposed an Amendment, giving the trustees the power of fixing salaries in accordance with the words adopted in the last clause. He proposed to leave out in page 16, line 37, the words "subject to the approval of."

The LORD ADVOCATE said, he could not consent to the Amendment proposed. The board was a body that was constantly available, and the salary might require adjustment, from time to time, whenever a new officer was appointed.

General Sir GEORGE BALFOUR suggested that such a revision should take place year by year as would bring the whole of the officers' salaries and duties under the control, and, if necessary, the revision, of the Board.

Mr. J. W. BARCLAY asked, if the trustees had power over the board in fixing the salaries of the officers?

The LORD ADVOCATE replied, that it was subject to their approval.

Amendment *negatived.*

Clause *agreed to.*

Clause 31 (Former officers to continue till removed), *agreed to.*

General Management in Counties and Burghs.

Clause 32 (Consolidation of trusts).

On the Motion of the Lord Advocate, the following Amendment was made:—In page 17, line 38, the word "hereinafter" was *struck out*, and "hereinbefore" *substituted.*

Mr. J. W. BARCLAY moved, as an Amendment, in page 18, line 5, after "expressed," to insert the words "and allocation hereinafter provided." As the clause stood, it seemed to him it might place in one county the debts of a turnpike which really belonged to an adjacent county.

The LORD ADVOCATE asked the hon. Gentleman to delay his Amendment until he had time to look into it.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 33 (Abolition of tolls, statute labour, causeway mail, &c.).

The LORD ADVOCATE said, that he had to move an Amendment which was rendered necessary by the alteration of the date in Section 6. In page 18, line 14, he proposed, after "Scotland," to insert—

> "Where such commencement shall happen before the year one thousand eight hundred and eighty-three, and otherwise from and after the first day of June one thousand eight hundred and eighty-three."

Mr. ORR-EWING said, that as the Amendment he had on the Paper depended upon the clause as it would be amended, he ought not perhaps to move it.

Amendment *agreed to;* words *inserted.*

On the Motion of the Lord Advocate, the following Amendments were made:—In page 18, line 23, after "exactions," insert "except as hereinafter provided;" and in the same page, line 24, after "Act," insert—

> "Provided always, That all the provisions of 'The Railways Clauses Consolidation (Scotland) Act, 1845,' with respect to turnpike roads shall continue applicable to all highways which are turnpike roads at the passing of this Act."

Sir WINDHAM ANSTRUTHER proposed, as an Amendment, in line 26, to leave out the words "not less than five years." It was only imposing causeway toll in another form; and he was at a loss to see why, if causeway or other tolls were abolished in the rural districts, they should be kept up in the boroughs.

Mr. MARK STEWART could not support the Amendment.

Mr. RAMSAY thought the words proposed to be left out had been inserted in consequence of the proposals made by a deputation who had waited upon the Government. An arrangement was made with certain boroughs that the dues should continue for five years.

The LORD ADVOCATE said, that the terms of the clause were arranged with reference to the date when the Bill was to come into operation. He would explain that the dues in question were levied in respect of passage through the boroughs, and that not merely for the passage, but for the general purposes of the community. And the reason for continuing them a certain time was this—that whilst the boroughs consented to their general abolition they were exceedingly desirous to continue these exactions for a few years, to enable them to accumulate a fund with the view of providing for their general purposes. It would be only reasonable to allow the burghs a period of years for that purpose, MR. CAMPBELL - BANNERMAN said, that the matter had been the subject of a great deal of consideration and arrangement. In the case of one of the burghs which he represented, he might point out that the total income from this source was £1,450 — a very considerable sum—and it had nothing to do with the maintenance of roads. Out of that sum the burgh had to pay ministers' stipends and other matters of that kind; and no part of it was specially connected with the repair of the roads. At the same time, his constituents fully acknowledged that when the system of tolls was abolished, all other similar forms of exaction must go as well; but, as the Lord Advocate had said, it was only fair that a certain time should be allowed for the burghs to prepare for the additional expenditure that would be involved in consequence of the loss of revenue that would have to be sustained; and, therefore, he hoped that the proposition of the hon. Baronet (Sir Windham Anstruther) would not be accepted.

SIR GEORGE CAMPBELL felt inclined to support the Amendment. A great deal might be said against causeway-mail. It was a kind of ancient transit duty levied on the community, similar to that levied by the robber chief in olden times. It seemed to him that the general public ought not to be called upon to pay such exactions for a long term of years to come. Even when the proceeds were applied to payment of ministers' stipends, they ought to be put an end to as soon as possible.

MR. YEAMAN objected to the omission of the words from the clause. He understood that the words had been inserted in the clause by arrangement, after the deputation from the burghs of Scotland had seen the Lord Advocate on the subject. Many of those burghs depended upon revenue of that class of mail, and to cut off those exactions without previous notice would be unjust, and might be the means of causing great dissatisfaction in many of the burghs of Scotland.

Amendment, by leave, *withdrawn.*

THE LORD ADVOCATE proposed, as an Amendment, in page 18, line 26, to leave out the word "five," and insert "four."

MR. RAMSAY said, that the word mail in Scotland was equivalent in its meaning to rent. Causeway-mail was "rent" in other words. He objected to the Amendment proposed.

THE LORD ADVOCATE said, there was no definite arrangement made as to the time. The arrangement come to had reference to the length of time that should elapse before the Act came into operation. He had already intimated that this mail—he would not call it black-mail — must come to an early termination. In the first Amendment he had placed on the Paper on this subject, he had substituted "three" in the place of "five," in deference to the opinion of one or two of the burgh Members.

MR. RAMSAY said, that the deputation from the burghs left under the impression that "five" would be the minimum number of years during which the causeway-mail was to be continued.

Amendment *agreed to;* word *substituted* accordingly.

On the Motion of the LORD ADVOCATE, the following Amendment made:—In page 18, line 28, to leave out all the words after the word "situated," down to the words "eighty-three," in line 30, inclusive.

On the Motion of the LORD ADVOCATE, the following proviso was added at the end of the clause:—

> "Notwithstanding that the other provisions of this Act shall not be in force in any county (including the burgh wholly or partly situated therein), all causeway-mail within such burghs shall be abolished from and after the fifteenth day of May one thousand eight hundred and eighty-four."

SIR GEORGE CAMPBELL would like the right hon. and learned Lord Advocate to explain why the tolls should be continued in this way, more than five years from this time.

MR. J. W. BARCLAY wished to know the precise meaning of the clause. As he understood it, whether the other tolls were abolished or not, the causeway-mail must come to an end in 1884.

THE LORD ADVOCATE explained, that in the case of certain burghs four years were given from the adoption of the Act, when causeway-mail would cease in all of them; and that it was proposed to extend the same rule to burghs within counties remaining under their Local Acts.

Mr. J. W. BARCLAY did not in that case quite see the occasion for the Amendment.

The LORD ADVOCATE said, the hon. Member would understand that the first part of Clause 33 dealt with counties and burghs in counties where the provisions of this Act had either been adopted or might become compulsory in 1883; but there were other counties where the provisions of this Act might never come to apply—counties having Acts in which tolls were not abolished—and the object of the proviso was to abolish tolls in those counties four years after the date at which, in other counties, this measure became compulsory.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 34 (Application of tolls and statute labour money at present leviable).

The LORD ADVOCATE moved, as an Amendment, in line 35, after "May," to insert "or first day of June." He might explain that this Amendment was consequent upon the time of the adoption of the Act.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 35 (Trustees to purchase pontages, &c.)

Mr. RAMSAY said, that the clause gave power to trustees to settle what compensation should be paid to a person or corporation in respect of his or their patrimonial interest in pontages. He had to move that the word "patrimonial," in page 19, line 6, should be struck out, and "pecuniary" inserted. His reason for asking that this change should be made was that in reading the clause over, he did not well understand how the word "patrimonial" could apply to the case of a corporation.

The LORD ADVOCATE said, he really could not assent to the Amendment. The word "patrimonial" had the same meaning in the case of a corporation as in the case of an individual, and it had a very distinct and well-known meaning. The word "pecuniary" would include everything. It would include the very causeway-mail abolished under the previous section. The distinction was quite an appreciable one. It was the difference between, for instance, a grant to levy a toll upon a public road or bridge, the property of the public originally, and erected with public funds, and the case of a private bridge. The right of levying tolls for the use of a private ferry given to corporations was a patrimonial interest, and the other was not.

Amendment *negatived.*

Mr. J. W. BARCLAY apprehended that, under the clause as it stood, the owner or owners of the bridge would be entitled to compensation in respect of the pontages without the cost of maintenance of the bridge being taken into consideration. He begged, therefore, to move, as an Amendment, at page 19, in line 12, after "debts," to insert "but in valuing such pontages the cost of maintaining the bridge must be deducted therefrom."

The LORD ADVOCATE said, that there could not be much doubt upon that point. Their patrimonial interest was the net sum which they derived from the bridge year by year. He should have no objection whatever to insert words to carry out the object of the hon. Member; but he did not think the words at present proposed were very happy in expression.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 36 (Roads formerly turnpike not wholly situated in one county or burgh).

Mr. J. W. BARCLAY said, he had an Amendment on the Paper, in page 20, line 9, to leave out from and including sub-section (d) to end of clause, the following words of sub-section 1:—

> "Where this Act shall have been adopted, or shall be in force in one or more of the counties or burghs in which such road is situated . . . . (e), the portion of such road within such county or any burgh therein shall be vested in, and managed and maintained by, the trustees, board, and district committees of the county, or the local authority of the burgh, as the case may be, in which such portion is situated."

He had also put down a clause in substitution for the part struck out, which involved a very complicated question, not only between counties which had adopted the Act, but between counties which had adopted the Act and those which had not. He did not think the clause, as it stood in the Bill, would be workable; and he was not quite sure that the clause which he had put upon the Paper in substitution for it would meet all the circumstances of the case. What, therefore, he would suggest to the right hon. and learned Lord Advocate was, that he should postpone this clause, and consider whether another might not be framed which would more fully meet the case. If the Lord Advocate was not willing to take that course, he (Mr. Barclay) was quite prepared to discuss the points which arose upon the clause.

THE LORD ADVOCATE said, he did not propose to postpone the clause; but he had no objection to postpone the consideration of the Amendments and have them fairly considered, if that would meet the view of the hon. Member.

MR. J. W. BARCLAY remarked that if they were to understand that the clause was to pass now, he should like to indicate one or two points in which the clause was objectionable.

THE CHAIRMAN pointed out, that if the hon. Member did not propose to move the Amendment which stood in his name, he would not be in Order in discussing the clause generally until the other Amendments standing on the Paper had been disposed of.

MR. J. W. BARCLAY said, he did not desire to move his Amendment if he were to understand that the clause was to be postponed; but if they were to be asked to pass it as a whole, he should like to do so.

MR. ASSHETON CROSS said, it was very unusual to postpone a clause until a new clause was arrived at; and, therefore, he hoped the discussion might take place, either at a future stage, or on some clause to be brought up afterwards, and then, if necessary, this clause might be altered.

DR. CAMERON wished to point out that if the hon. Member for Forfarshire (Mr. Barclay) insisted upon the postponement of the clause, it would prevent other points which hon. Members had to raise in connection with it from being now disposed of. Moreover, he (Dr. Cameron) had no doubt that by deferring to the wish of the right hon. and learned Lord Advocate, an agreement might be arrived at which would obviate the necessity for any further discussion. If, however, any points remained upon which an agreement could not be arrived at, they might be settled upon the Report.

MR. ASSHETON CROSS hoped the hon. Member would adopt that course.

MR. J. W. BARCLAY said, he should defer to the opinion of the Committee, and not move his Amendment.

Amendment, by leave, *withdrawn.*

DR. CAMERON said, he had to move an Amendment in sub-section (d) of the clause of very considerable practical importance. It was proposed, under that sub-section, to deal with bridges which happened to be partly in one burgh or county and partly in another, in precisely the same manner as if they were roads —that was to say, that, failing agreement as to cost of maintenance, the Debt Commissioners

> "Shall proceed forthwith to ascertain and determine the proportions in which, according to equity, and taking into consideration all the circumstances of the case, the expense of maintaining the same ought to be, and shall be, allocated, and be a charge against such trustees and such local authority or authorities respectively, and the decision of such Debt Commissioners shall be final."

These words were to be found in Clause 64, and they were applicable to roads. Now, it seemed to him that the case of a bridge was very different from that of a road. In the case of a road they had to consider how much lay in one district and how much in another; but a bridge was altogether in a different position, each half standing as a natural terminus to the part of the road in the county or burgh on one side of the river and the other. For instance, in the case of Glasgow, there was a bridge connecting it with Hillhead, and, under the Bill, an absolute discretion was given to the Commissioner, without any appeal from his decision, to fix the proportions of the cost of maintenance to be paid by Glasgow and Hillhead respectively. What he maintained was, that in such a case, the cost of maintenance should be divided equally between Glasgow and Hillhead; because, although a very much smaller place than Glasgow, yet Hillhead obtained quite as much advantage from the bridge as Glasgow did. Besides, Glasgow had to maintain a great number of other bridges connecting it with other districts, both burgh and county; and he maintained that there was no necessity for giving this discretion to the Commissioner at all, and that in the case of a bridge the principle should be adopted which had, he believed, been adopted in many Private Acts—in the Aberdeenshire Local Act, for example—of dividing the cost of maintenance equally between the burghs and counties in which the bridge happened to be. He moved, after "charge," to insert "equally."

Sir WILLIAM CUNINGHAME said, it seemed to him that it would be only fair that, in any allocation of the charge between two districts, the circumstances of which differed, some difference ought to be maintained. He thought the arrangement in the sub-section, to leave it in the hands of the Commissioners finally to decide what was the proper course to be pursued between the districts, was a perfectly fair one.

General Sir GEORGE BALFOUR would suggest to the Committee that they should allow the whole question to be settled on the Report. There was one bridge connecting the county he represented with Aberdeenshire and another with Forfar; and he should like to have an opportunity of conferring with his constituents, in order to ascertain the bearings of the change which the hon. Member for Glasgow proposed.

The LORD ADVOCATE said, he did not believe that the proposed Amendment was at all directed against the interest of any particular locality in Scotland, and it humbly appeared to him to be a very reasonable one. It was quite true that they might have a small area abutting upon a larger one, and a bridge partly in each; but, on the other hand, they must recollect that where they had a large area, whether city or county, there would be a great number of those bridges thrown upon that larger area. They had bridges at various points, and it was quite fair to make each area bear half the expense of those bridges of which half was within its limits. He thought that was reasonable, and he was quite prepared to accede to the Amendment.

Sir EDWARD COLEBROOKE pointed out that there were cases in which the Amendment, if adopted, would inflict a considerable injustice. There was no doubt that the people in the immediate neighbourhood of the bridge connecting Glasgow with Hillhead benefited thereby; but if benefit was desired by a much larger number of persons beyond than those living on the banks, and if those who passed over to Hillhead were not connected with that burgh, but with the county of Dumbarton, it would be hard on the people of the former place to be called upon to pay the full half of the expense. There were exceptional cases, and it would be better to leave it to the discretion of the Commissioners.

Mr. J. W. BARCLAY said, the matter could not be left in the position in which it stood in the clause. Let them take the case of a turnpike road extending one mile on one side of the bridge and 50 miles on the other. The debt upon that road must be allocated more or less in proportion to its length; and if the clause were to stand in its present shape, the expense of maintaining the bridge for all time coming would be apportioned in the same manner as the debt was allocated. Such an arrangement would be manifestly unfair. He therefore thought that, whatever arrangement might be adopted, the present provision made in the clause would not be satisfactory, and could not be allowed to stand. Upon the whole he was inclined to think that the burden of maintaining a bridge should be equally divided between the two parties.

Mr. M'LAREN entirely approved of the Amendment of his hon. Friend the Member for Glasgow (Dr. Cameron); and, after the clear explanation of the right hon. and learned Lord Advocate on the subject, he did not see how it could be resisted. Suppose a new bridge was to be built to-morrow, how would they propose that it should be undertaken? Would any reasonable party propose that Hillhead should pay £100 towards building it, and Glasgow £3,000? Such a proposal, it seemed to him, would be altogether out of the question, because it was the people outside a great city who wanted to get into it, and it was not the people within it who wanted to get out in that particular direction. For the reasons that had been stated, he thought the Amendment ought to be adopted.

Mr. MARK STEWART regretted very much the decision to which the right hon. and learned Lord Advocate had come, and thought that more time should be taken to consider the question, and hoped it would be further considered by the Government on the Report.

SIR GEORGE CAMPBELL entertained pretty much the same opinion as the hon. Member who had last spoken (Mr. Mark Stewart). He had no doubt that, as an ordinary rule, the simple plan was the right one—namely, that the cost of the bridge should be equally divided between the two parties. But he also felt that there might be very exceptional cases. There might be a case in which a very large and expensive bridge had been built, connecting a great city with a burgh little more than a village, and it was hardly reasonable to expect that that small place should undertake half the great cost of the bridge. What he hoped was, that the Amendment would now be accepted; and that before the Report the matter would be considered, and a new clause brought up, which would provide for such exceptional cases as that he had referred to.

MR. VANS AGNEW remarked, that he could not agree that the Amendment should be adopted, and that the cost of the maintenance of the bridges under two separate jurisdictions should for all time be equally divided, because the circumstances must vary very much. At the same time, he did not like the clause as it stood. He did not think the expense of maintaining a bridge should necessarily be apportioned in all time coming in the same way as the debt on the turnpike roads leading to it was allocated between the two parties. If the matter were postponed, and fully considered, and a clause brought up on the Report to meet the general views of the Committee, it would be an advantage. He was sorry to say that he did not agree either with the clause or with the Amendment of the hon. Member for Glasgow (Dr. Cameron); but he thought a fair arrangement might be arrived at if more time were taken for consideration. He would, therefore, ask the Lord Advocate to postpone the clause.

THE LORD ADVOCATE said, he could not consent to postpone the clause, in which there was an attempt made—he did not say a successful one—to deal with bridges of an exceptional character.

MR. CAMPBELL-BANNERMAN pointed out that, as a matter of fact, the clause could not be postponed, because an Amendment upon it had already been moved.

Amendment *agreed to.*

DR. CAMERON moved, as an Amendment, in page 20, line 15, to leave out after "as" to "respectively," in line 20, inclusive. As the charge was to be an equal one, the words in the clause should be left out which provided that the charge should be allocated as nearly as might be in the same manner as was therein provided in relation to the allocation of road debts between the trustees of a county or counties and the local authorities of a burgh or burghs respectively.

Amendment *agreed to.*

DR. CAMERON moved, as an Amendment, that the word "equally" should be inserted in page 20, line 21, after "vested" in the following section—

> "The management of the bridge shall, failing agreement, be vested in the trustees or local authority, as the case may be, upon whom the largest portion of the cost of maintenance is allocated."

MR. J. W. BARCLAY thought this was hardly a satisfactory arrangement. He would be glad if the Lord Advocate would explain how this Amendment would be practically worked.

THE LORD ADVOCATE said, he was prepared, if the Amendment was postponed, to consider the matter.

SIR GEORGE CAMPBELL said, that where the cost of the bridges was equally divided between two authorities, as was now agreed, it would be nonsense to say, as the clause stood—"The management of the bridge shall be vested in the trustees or local authority upon whom the largest portion of the cost of maintenance is allocated."

THE LORD ADVOCATE said, there were consequential Amendments necessary, and he agreed that the words "upon whom the largest portion of the cost of maintenance is allocated" should be deleted. He would consider as to some scheme for the future management by some joint committee of the two bodies.

Amendment *agreed to.*

THE LORD ADVOCATE said, there was another very obvious consequential Amendment that would have to be made if the words ran—"trustees or local authority." The management should be vested in the trustees and the local authority.

Mr. RAMSAY asked if it should not be "or local authorities;" because, in the case of two adjacent burghs, the bridge would be managed between the two.

The LORD ADVOCATE replied, that it would be better to put it in the plural, and he would accordingly move that the words should be "in the trustees and local authorities chargeable with the cost of maintenance."

Mr. RAMSAY thought the word "or" should stand.

Amendment, by leave, *withdrawn.*

On the Motion of the Lord Advocate, the following Amendments were made:—In page 20, line 22, the word "authorities" was *substituted* for authority;" and in lines 23 and 24, the words "upon whom the largest portion of the cost of maintenance is allocated" were *struck out*, and the words "chargeable with the cost" *inserted* instead.

Dr. CAMERON pointed out a similar Amendment which would be necessary on the sub-section (i).

The LORD ADVOCATE agreed to the Amendment as it was merely consequential.

Amendment made.

Mr. J. W. BARCLAY said, he proposed to add to the clause the following paragraph:—

> "One-half of the tolls under deduction of the expense of collection collected on any such bridge, or within one mile thereof, shall belong to the county which has abolished tolls, or to the burgh therein (as the case may be) within which such bridge is partly situated."

Unless some provision of the kind were made, the county that had abolished tolls might have to pay half the cost of maintenance, while the county that had not abolished tolls might appropriate all the tolls on the bridge by keeping and maintaining the tolls upon the bridge as heretofore in connection therewith. He might refer to an Amendment on Clause 7. It was very obvious that Clause 7 of the Bill contemplated that tolls might continue to be levied on such partly-situated bridges in a county that had not abolished tolls. He thought the county that had abolished tolls ought either to have the half of those tolls collected on the bridge which it had to help in maintaining, or the tolls should be altogether abolished.

Amendment proposed,

> At the end of the Clause, to add the words "One-half of the tolls under deduction of the expense of collection collected on any such bridge, or within one mile thereof, shall belong to the county which has abolished tolls, or to the burgh therein (as the case may be) within which such bridge is partly situated."—(*Mr. James Barclay.*)

Question proposed, "That those words be there added."

The LORD ADVOCATE said, the Amendment appeared to him to introduce an entirely new element. The counties that had already abolished tolls had done so on conditions satisfactory to themselves, and when a county outside had also abolished tolls the two would be precisely in the same case; but why make exceptional legislation in favour of the county that had abolished tolls, when they would be on the same footing as soon as the county outside had adopted the Act?

Mr. J. W. BARCLAY said, it was the case of a bridge between two counties that he contemplated. The county that had abolished tolls was to pay half the cost of the bridge, and the county which had not might continue the tolls upon the bridge under the Act, and appropriate the whole amount collected. That was manifestly an unfair arrangement. One county abolished tolls two or three years sooner than another, and if it paid half the debt upon a bridge, and half the expense of maintenance, it ought to have some benefit for that.

Mr. M'LAREN begged to suggest to the consideration of the Lord Advocate, whether he might not bring up a clause on Report to the effect, that in the case supposed, the county on the one side of the river having tolls, in place of dividing tolls—which would be a clumsy expedient—with the county on the other side which had none, should bear the whole expense of keeping up the bridge as long as tolls were collected, and that when they were abolished the cost of the bridge should then be divided?

Mr. RAMSAY did not regard this question as of much importance, considering the short period during which tolls could still be collected. If it had been proposed that it should be permissible for counties to continue tolls, the question raised by the hon. Member for Forfarshire would have had importance, and the Amendment might have been passed. But, considering that there were so few years during which tolls could be maintained, and that the county which had abolished them had done so in the knowledge of the circumstances, he thought it was not a question on which they need waste much time.

Sir EDWARD COLEBROOKE was also of opinion that, considering the shortness of the time, the question was not one of importance.

Mr. J. W. BARCLAY said, that before the Committee divided upon this question—because he intended to take a division upon it—he wished to say that in the county which he represented there were two bridges, one under a bridge trust, and the other a part of the turnpike. The tolls upon those bridges amounted to a considerable sum, and under the Bill, as it at present stood, the whole of the tolls might be collected on those bridges for five years after the Bill passed. The whole of those tolls would be paid to the Commissioners of Supply of the adjoining counties, unless the adjoining county adopted the Bill. He did not know what the Lord Advocate considered a considerable sum; but he was sure the tolls on those bridges would in five years amount to several thousand pounds. The arrangement was so manifestly unjust, and offered so strong an inducement to the adjoining county not to abolish tolls as long as they could benefit by them, that he felt bound to divide upon the question.

General Sir GEORGE BALFOUR said, the county to which the hon. Member for Forfarshire (Mr. Barclay) referred was the one he (Sir George Balfour) had the honour to represent, and the other case was that of the Montrose bridge, which connected that important sea town with its county, Forfar; and the apportionment of charges between the area contained in the roads over these bridges ought to be adjusted on well-considered grounds, affecting the localities, and the settlement of their claims ought to rest with an arbitrator appointed by the Secretary of State. He wished to say that, whenever counties had abolished tolls, they had done so for their own advantage; and, whatever changes might take place in the future, the counties that abolished tolls would do it upon their own conditions and terms. He desired to see tolls abolished, and he wished to see the bridges cleared from Forfarshire to Kincardineshire, and also the bridges that led to Aberdeen; but in Aberdeen they had abolished tolls, and if Aberdeen was to get half the tolls of the bridges as well as Forfarshire, it was a complicated business. They ought not to be hurried into legislation of a difficult and dangerous character.

Mr. ANDERSON felt some sympathy with the county that had abolished tolls, but found itself shut in by pontages and tolls round its boundaries. That was a hard state of matters, and the Amendment proposed to deal with it as regarded pontages; but the same objection applied to roads, and yet it was not proposed to force counties maintaining tolls to remove them a mile within their borders; therefore, he did not see the use in pressing this matter as regarded bridges.

Question put.

The Committee *divided*:—Ayes 69; Noes 125: Majority 56.—(Div. List, No. 175.)

Clause, as amended, *agreed to.*

Clause 37 (Bridge (not formerly turnpike) not wholly situated in one county or burgh).

Mr. J. W. BARCLAY said, under existing circumstances, he considered the clause was now unnecessary.

Clause *agreed to.*

Clause 38 (Detached parts of counties to form part of the county by which they are surrounded).

Mr. ORR-EWING moved, in page 22, line 14, to insert, after the word "county," the words "or counties."

Amendment *agreed to.*

Mr. J. W. BARCLAY said, the effect of an Amendment he meant to propose on the clause was that the assessor should send a detailed valuation of any detached part of a county which was within another county to the clerk of the trustees of the county in which such detached part was included, in order that he might assess in respect of the roads. There was already a provision which was only to the effect that the clerk of supply of the county should report who were qualified as Commissioners in the detached part. This proposal went a step further, and directed the clerk of supply, or the assessor, to send a list of the valuation of such detached part of a county to the clerk of supply of the county which was going to assess for the roads. Either this provision, or some other means, would have to be adopted whereby the trustees of a county having control of such detached part should levy the assessment. He moved, in page 22, line 25, to leave out the following words:—

> "With a view to ascertain the persons, being Commissioners of Supply, entitled under the provision of this Act to act as trustees in those counties in which are included, as herein-before provided, one or more detached parts of any other county or counties, the clerk of supply of each such other county or counties,"

and to substitute, "the clerk of supply of any county from which a part or parts are detached," should transmit the list of qualified persons, and so on.

The LORD ADVOCATE thought the Amendment would, if agreed to, have the effect of causing to be done something for which there was no necessity. There was no difficulty in the way of the assessing body obtaining a copy of the valuation roll for any county or part of a county. But, as these detached parts of counties remained integral parts of the original counties, it was necessary to have communication with the clerk of the Commissioners; because those who were on the valuation roll as qualified were not necessarily Commissioners, but must qualify as such and take their seats, and it was only after they had so qualified that they were entitled to act as road trustees. He proposed to enact that the clerk of the Commissioners of Supply should give that information, he being the only person that was officially possessed of it. As far as the valuation roll was concerned, it was not kept by him, but by the assessor of the district, and it could be had from him.

General Sir GEORGE BALFOUR asked, if there were not a difficulty in obtaining a copy of the valuation roll between the months of August and December? He thought there was, though after that a copy could easily be got for a small charge. These Valuation Bills of counties and burghs should be printed and available for purchase at the lowest rate of charge. This kind of publicity would affect much good in keeping the valuations at their proper sum.

Mr. J. W. BARCLAY said, it was a simple enough thing to get the valuation roll after it was published. He had moved this Amendment mainly at the instance of one of the gentlemen, who would, under the provisions of the Bill, be one of the clerks to a body of road trustees; and who was of opinion that, under existing arrangements, he would not be able to get a copy of the valuation roll in time to make the assessment.

Amendment *negatived.*

The LORD ADVOCATE moved, in page 22, line 30, to substitute the word "January" for "December." The valuation roll was not completed until the 30th of November, and it was necessary thereafter for the Commissioners of Supply to meet and admit those Commissioners having qualification according to the new roll.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 39 (Lists of highways to be made up. Alteration of list), *agreed to.*

Clause 40 (Highways may cease to be such, and other roads may become highways).

Sir GEORGE DOUGLAS moved, as an Amendment, in page 23, line 21, to leave out the words "church-door of," in order to insert the words "principal door of each church in." The hon. Baronet said, his desire was to secure greater publicity for any proposal to shut up roads than would be given by the Bill as it stood, which would be read as meaning that notices should only be affixed to the doors of parish churches, whilst his Amendment would insure their being placed on the principal door of each church in every parish.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 41 (A highway ceasing to be a highway may be shut up).

Colonel ALEXANDER moved, as an Amendment, in page 23, line 29, to leave out all the words from the word "in" to the word "shall," in line 30. The hon. and gallant Gentleman said, he saw no reason why, when a road had been once shut up, it should again be acquired by the road trustees as a highway. His view was that the property in the road should revert to the owners from whom it had been taken in order to the making of the road.

Amendment *agreed to;* words *struck out* accordingly.

COLONEL ALEXANDER next moved, in page 23, line 31, to insert after the word "thereto," the words—

> "And from whom, or his or their predecessor or predecessors, the ground occupied by such road was acquired for such road."

MR. WILLIAM HOLMS said, he had an Amendment on this clause, and his object was, that where a road was no longer required, the adjoining proprietor, on taking possession, should pay for it; and the Amendment of the hon. and gallant Member being in effect similar, he proposed to accept it. He would, however, propose to amend it, by inserting after the word "acquired," the words "with payment."

MR. ORR-EWING said, supposing the property should be sold after the road ceased to be used, and the road and the land were to be transferred, they would give possession to the party who had sold the property.

MR. M'LAREN supported the Amendment of the hon. Member for Paisley (Mr. W. Holms), on the ground that the measure, as drawn, was very much of a landowners' Bill; and added, that he wished to know whether it was intended to continue the system under which a six months' notice was required before a road could be shut up?

LORD ELCHO protested against the suggestion that the Bill was a landowners' Bill. It had been carefully drawn by the Government, and would, he believed, prove equally advantageous to the property-owners and dwellers in the towns, and to the landowners and those residing in the rural districts. He did not think it would ever be proposed to close roads until they had become practically useless; and when shut up, the land would be of little value to anybody except the owners from whose property the land had been taken, and to whom it should revert. Of course, the question of the terms on which it should so revert was a fair one for consideration.

MR. RAMSAY thought it would be only fair that the right of pre-emption of land no longer required for roads should be given to the owners of the adjoining land. At the same time, great care should be taken in protecting the right of the people to the use of the roads. It might be that a particular road had fallen into comparative disuse; but it might also be that it was the nearest way to the parish school or the parish mill, and, in that case, it would be a great hardship upon the inhabitants of the neighbourhood to shut it up altogether.

THE LORD ADVOCATE said, provision was made in a later clause for the right of pre-emption of lands no longer required for road purposes. He saw no reason why the proprietor of land taken for the making of roads should be called upon to pay for it when it reverted to him after having served the purposes for which it was taken. The road trustees had simply granted to them a temporary way-leave over the surface of the land, and he saw no just ground to call upon the proprietor, after the reason for the way-leave had ceased, to pay again for his own property.

SIR GEORGE CAMPBELL thought care should be taken not to arm the trustees with power to close roads which, though, perhaps, not much used, had existed from time immemorial, and had been found useful by those who lived in their immediate neighbourhood.

GENERAL SIR GEORGE BALFOUR said, the observations just made had a special bearing on the question of roads which formerly traversed moors and commons, before these were laid hold of by the adjoining proprietors, and which ought to have been preserved to the people. Care should also be taken to prevent the making of roads at the public cost for the mere purpose of rendering valuable property which, but for the existence of such roads, would be comparatively worthless. The great power still vested in the proprietors of lands, in respect to being the most influential portion of the Road Board, might be exercised in respect to communications over or to their lands.

Mr. ORR-EWING did not think the Bill would interfere with any existing right of way; it only proposed to deal with public roads, and when old roads were shut up, new ones would be made.

Mr. WILLIAM HOLMS explained, that the object of his Amendment was to secure that, after a highway had ceased to be one, and had been shut up, the ground not required for the purposes of a highway should not fall into the hands of the adjoining proprietor without any payment on his part. That was the simple object he had in view, and he understood that the Lord Advocate was prepared to insert a clause giving effect to it.

Sir GEORGE CAMPBELL said, the wording of the clause appeared to him to bear the construction that a right of way, which had existed from time immemorial, might be stopped by a vote of these trustees. He did not know the English language if the clause were not open to that meaning. He admitted that, in cases where a more eligible line of road was substituted for a less eligible one, there would be a reason for shutting up a highway; but, as Clause 40 stood, a highway might cease to be a highway, without any other being substituted. When he said he agreed with the hon. Member for Edinburgh (Mr. M'Laren), he meant that the clause, not the Bill, was in the interests of the county proprietors; for it enabled the trustees to shut up a road, and almost bribed the proprietors to get it shut up. He, therefore, hoped that the Lord Advocate would frankly tell the Committee whether the Bill did or did not provide that a right of way, existing from time immemorial, was to be put a stop to?

Sir EDWARD COLEBROOKE said, no doubt there was a strong objection against arbitrary power being given to trustees; but he pointed out to hon. Members who had raised that objection, that such was not the object of the Bill. The trustees would be held responsible for their actions. If a highway were stopped without an alternative road being laid down, proprietors would be discouraged in giving land for these highways, and the trustees also would be discouraged in their efforts to carry out improvements. If the Committee laid down that principle, they would strike a serious blow at any improvements in roads. With regard to the clause having the effect of stopping the right of a footpath, which passengers had used from time immemorial, that was a question which rested upon different considerations. Perhaps the Lord Advocate would inform the Committee what the real effect of the clause would be?

Mr. RAMSAY, before the Lord Advocate rose to answer the question of the hon. Member for Kirkcaldy (Sir George Campbell), wished to be allowed to say that a way by which passengers had a servitude right to pass was never regarded as a highway in the ordinary acceptation of the term. A right of way, commonly so called, was entirely different from a right of highway; and the trustees had no more to do with the former than they had with a private estate. When hon. Members spoke of this Bill having been framed in the interest of proprietors, with a view to transfer to them the *solum* of the road, they appeared to forget that the common law of Scotland was in accordance with the provisions of the Bill. This measure would merely carry out the common law—namely, that the *solum* belonged to the proprietor from whose land the highway was taken. The right hon. and learned Lord Advocate had so clearly explained such to be the law, that it was merely wasting time to continue the discussion.

The LORD ADVOCATE explained that there were, undoubtedly, a great number of public roads in Scotland that were not highways, and would not be highways, within the meaning of this Act; and it was quite settled that these could not be shut up by any body of trustees, because statutory authority was required to close a public road. Accordingly, there were instances, which were very well known, where the public were held entitled to defend their own. But, at the same time, supposing that an existing public road were placed by Statute under a turnpike trust, no doubt that statutory power would enable the trustees entirely to extinguish the right of the public over that road, if shut up, in terms of the General Turnpike Act. It would be quite another thing if they had adopted a road over which private servitude rights existed. Then, it would not be competent for them to shut that road against the owners of servitudes. That question had been decided, a year or two ago, in a case where a road was assumed by statute labour trustees, and along the line of the road there had existed, for centuries, a right of way to a mill. The trustees closed the road ; but it was held, notwithstanding, that the immediately adjacent proprietors were not affected by the action of the trustees. The action entirely extinguished the public right, but it did not extinguish the private servitude rights. That was the state of the law, as he understood it.

Mr. J. W. BARCLAY thought the Committee had materially prejudiced the public interest by passing the Amendment which had been made on the clause; because, as he understood the matter, the clause, as it originally stood, provided that, after a road had ceased to be a highway, there might still be a right of way; but, as the clause now stood, a road might be shut up by a body of trustees, who would have the power of depriving the public of their right of way; but he did not think the Committee intended that the right should be taken from the public to a road which might have been used by the public for centuries, and had subsequently become a statute labour road. This had not been done by previous legislation, and he certainly thought the whole clause ought to be rejected.

Mr. M'LAREN said, if the Lord Advocate was prepared to assure him that the Bill substantially embodied the provisions of the general Turnpike Act of Scotland, including the provision which required six months' notice to be given of an intention to close a road, then he would be satisfied with that assurance. He was not suggesting any new law; but what he objected to was, that any attempt should be made to take from the existing securities possessed by the public. If the six months' notice were not incorporated, he should move an Amendment to the effect that, in all cases of intention to shut up a road, due notice of that intention should be given by advertisement.

Sir WINDHAM ANSTRUTHER called the attention of hon. Members opposite to the power given in the clause with regard to shutting up highways, and to the definition of highways. He also pointed out that the clause gave power to the ratepayers to appeal to the Sheriff against the shutting up of highways.

Sir GRAHAM MONTGOMERY had read the clause most carefully, and was of opinion that no trustees could shut up what was called a right of way in Scotland.

Sir GEORGE CAMPBELL considered the question of so much importance that it was necessary to remove all doubt as to the legal effect of the clause. The Lord Advocate had stated the existing law of Scotland with regard to roads and servitude, but not the effect of the present Bill, it passed into law. Let that be made clear. If the clause were passed with the words "importing that trustees, if they think fit, may direct that roads shall be shut up," would the effect of such a statutory provision not be to enable the trustees to close a road in a literal and ordinary sense ; would it still be subject to such rights as existed before it became a statute labour road, or highway, as the case might be?

Mr. M'LAGAN did not think that the trustees, who were the guardians of the public rights, would do anything as against the public. Although the ratepayers would have a right of appeal, how would they know when a road was to be shut up? He suggested that notice should be given to the ratepayers, and to the public generally, that a road was going to be closed, so that an opportunity might be afforded of appealing against the decision of the trustees.

Colonel ALEXANDER, referring to the remark which had fallen from the hon. Member who had just sat down (Mr. M'Lagan), directed his attention to his (Colonel Alexander's) own Amendment on the Paper, which would have the effect desired by the hon. Gentleman.

Mr. ASSHETON CROSS, who expressed a hope that the discussion would now be brought to a conclusion, as the subject had been considered at some length, and there was other Business pressing, said, he quite agreed that notice should be given of the intention to shut up useless roads. In England, the practice was to place a notice at each end of the road that was to be closed ; and the same plan might be adopted for Scotland. He agreed that the notice ought to be ample, and given on the spot.

Amendment *agreed to.*

Colonel ALEXANDER moved, that at page 23, line 32, the following words be omitted:—"such ground as required for the purposes of any highway, or as to;" and expressed a hope that the Amendment would satisfy the hon. Member for Edinburgh (Mr. M'Laren).

Amendment *agreed to;* words *struck out* accordingly.

Colonel ALEXANDER moved, in page 23, line 35, after "final," to insert—

> "But no such road shall be shut up as aforesaid until after the expiration of six months from the date of the resolution directing the same to be shut up as aforesaid, and 30 days' notice of the intention to propose a resolution to that effect shall be given by advertisement in any newspaper usually circulating in the county in which such road proposed to be shut up is situated."

Mr. M'LAREN suggested to the hon. and gallant Member that he should delete the word "thirty" from his Amendment, in order to insert "sixty."

Dr. CAMERON was of opinion that it would be much better to leave the matter on the footing on which it was placed by the suggestion of the right hon. Gentleman the Home Secretary, which was that notice should be given on the spot itself. After that suggestion, it was hoped this Amendment would not be pressed.

Sir GEORGE CAMPBELL did not think the proposition of the right hon. Gentleman opposite (Mr. Assheton Cross) was at all inconsistent with the Amendment of the hon. and gallant Gentleman (Colonel Alexander). The hon. and gallant Gentleman's suggestion was that six months' notice should be given—a very reasonable Amendment, which might be added to this one.

Colonel ALEXANDER said, that the notice stated in his Amendment was the same as that which was contained in the present Turnpike Act.

Mr. M'LAREN observed, that the six months' notice was not really six months' notice of intention to shut up a road; but six months' postponement of the act of shutting it up. There was no notice of the intention to close the road, other than the 30 days.

Amendment *agreed to.*

Sir GEORGE CAMPBELL expressed an inclination to move the omission of the latter section of the clause. If that section remained as it then stood, the whole intention expressed by the Committee up to that moment would be stultified. It was perfectly true that, so far as it went, the first section of the clause provided that the trustees might order that the road should be shut up; and then the Amendment proposed, in effect, that six months' notice should be given of the closing of the road. But, supposing that people should object to its being shut up, he saw no remedy provided for them in that regard. On the contrary, the matter was to be determined in a most summary way, for this was the wording of the latter section of the clause—

> "Any determination of the trustees under this and the preceding section shall be final and conclusive, and not subject to review in any court or by any proceedings whatsoever, unless any three ratepayers who shall be dissatisfied with such determination shall at any time within 14 days after the date thereof appeal to the Sheriff, who shall hear and determine the appeal in a summary way, and the decision of the Sheriff shall be final."

The LORD ADVOCATE said, that, as the clause stood, it certainly was out of shape; and he would undertake to re-model it on this footing—that 30 days' notice be given to the public before the question was considered; after the consideration of the question, and the determination to shut up the road, such determination should not take effect until six months afterwards; that, during the six months there should be a sufficient publication, so that any person, within that period of six months, might appeal to the Sheriff.

Mr. M'LAREN expressed himself satisfied with that re-modelling of the clause.

Clause, as amended, *agreed to.*

Clause 42 (Toll-houses to be first offered to adjoining proprietors).

Sir WINDHAM ANSTRUTHER moved to add, in page 24, the following proviso:—

> "Provided always, That in fixing such price the valuator shall take into consideration the terms and conditions upon which such site was originally acquired."

Amendment *agreed to*; words *added.*

Clause, as amended, *agreed to.*

Clause 43 (Provision for footpaths).

MR. MARK STEWART moved, in page 24, line 12, after "highway," to insert—

> "And to make bye-laws, subject to such approval as aforesaid, for the avoidance of all unnecessary obstruction to ordinary traffic on such highways."

The hon. Member explained, that the effect of his Amendment was that any obstruction found in the highway should be got rid of with the assent and assistance of the trustees. The object he had in view was to prevent any undue hindrances being found in the road, such as fairs, booths, or races. It had come to his knowledge that, on one occasion, when horse-races were going on in the public road, and the police were called in to put a stop to what the public generally regarded as a nuisance, they said they had no power whatever to clear the road. Therefore, he hoped the Government would accept the remedy which was provided by his Amendment.

THE LORD ADVOCATE had no objection whatever to the principle of the Amendment; but he did object to its introduction at this part of the Bill, which was the wrong place. If it were inserted here, it would have no application to the road, but would simply apply to the footpath. There were Amendments on the Paper for introducing a general provision applicable to all highways.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 44 (Boundaries of burghs).

THE LORD ADVOCATE moved, in page 24, line 16, after "Parliament," to insert—

> "Or when no police assessment is levied, as the same are or may be ascertained, fixed, or determined for municipal purposes."

Amendment *agreed to.*

MR. RAMSAY moved, in page 24, line 17, to leave out from "where" to "burgh," in line 19, both inclusive. The simple object of the Amendment was to provide that, where the public turnpike road skirted the burgh, and the centre of the road was the present boundary of the burgh, that should continue to be the boundary; and that it should be a matter of arrangement between the county road trustees and the burgh authorities to maintain the road equally. This would be in accordance with the proviso immediately following the words he moved to leave out. The proviso was—

> "That in the case of contiguous burghs or police burghs, or a contiguous burgh and police burgh, the centre of the highway shall be held to be the boundary."

In one of the burghs (Falkirk Burghs) which he had the honour to represent, there was a line of road skirting the boundary of the burgh; and the centre of the roadway was defined by the Reform Act of 1835 to be the boundary of the burgh. Why this should now be altered he could not conceive; because, later on in the Bill, the burgh authorities were to be left to arrange with those in the county for the maintenance of the roads within the burghs. Therefore, he moved that the following words be struck out.

> "Where the boundaries of any burgh run along a highway, the whole breadth of such highway shall, for the purposes of this Act, be held to be within the boundary of the burgh."

Amendment *agreed to;* words *struck out.*

On Question, That the Clause, as amended, stand part of the Bill?

MR. M'LAREN said, he understood that as three lines had been left out, the Amendment which stood on the Paper in his name was not now available.

THE LORD ADVOCATE remarked, that the Amendment last carried left the clause just as it was before. He should put the clause in such a shape as to make it fit.

MR. M'LAREN was much obliged to the Lord Advocate for not taking advantage of his technical neglect. He would, therefore, move his Amendment.

THE CHAIRMAN: I put the Question in such a form as to enable the hon. Member for Edinburgh to move his Amendment. The hon. Member did not avail himself of that opportunity, and he is not able to move it now.

MR. M'LAREN: I am satisfied.

Question put, and *agreed to.*

Clause 45 (Local authority to have management of roads within burghs).

MR. C. S. PARKER moved, as an Amendment, in page 24, lines 23 and 24, to leave out from "local authority," to "situated within," in line 26, and insert—

> "Highways and bridges situated within any burgh shall be by virtue of this Act transferred to, and vested in, the local authority of such burgh, and such local authority shall have the entire management and control of."

The hon. Member said, that the Amendment he had to propose was one of form and not of substance. The question had been raised whether the words were sufficient to vest the highways in local authorities where they were not already so vested? His object was to make it more clear that the highways should be vested in the local authority, and he hoped the Lord Advocate had no objection.

THE LORD ADVOCATE: Certainly; I approve of it.

Amendment *agreed to.*

Consequential verbal Amendments *agreed to.*

MR. M'LAREN moved, as an Amendment, in page 25, line 2, to leave out after "situated" to end of clause, and insert—

> "And the owners and occupiers of lands and houses within such burghs shall be chargeable with the same rates of assessment as the owners and occupiers of lands within other parts of the country."

He considered the present Amendment a very important one, and unless the right hon. and learned Lord Advocate had made up his mind to give way, he must take up a few minutes of the time of the Committee, which he was always unwilling to do. Of the 196 Amendments on the Paper, only six stood in his name. The Committee, therefore, would excuse him, if he attempted to convince them of the necessity for this Amendment. As the clause now stood, every little burgh must make a bargain with the county under this Act. He wished to give the little burghs the option of merging themselves in the county. The effect of his Amendment was, that such burghs should have the same right to merge themselves in the county, as regarded keeping up the turnpike roads running through the main streets of the burgh, as they had to merge themselves in the counties for police purposes. The question was very carefully considered by the Royal Commission on Roads. He held in his hand their Report, and if the Committee would allow him, he would read a paragraph of about eight lines, stating what the Commissioners, after careful consideration, said on the subject. At page 197 of their Report, they said they considered it should be optional for burghs, and more especially burghs of small size, to have all roads and streets maintained in future out of the county roads' funds, and that each burgh should have the option of placing itself under the operation of the county assessment, and the roads in question under the County Roads Board. They were of opinion that this arrangement in the case of the smaller burghs would be equally for the interest of the burghs and for the public advantage. Under these conditions, the Commissioners, in the next paragraph, said they were further of opinion that, in case of the general abolition of tolls, the levying of causeway-mail on roads passing through burghs should be entirely abolished and power of removal obtained. Now, his complaint was, that of the two recommendations which were intended to be adopted, this Bill adopted the last one but rejected the first. He thought it very important that the House should thoroughly understand this. In many parts of Scotland there were small burghs, consisting, practically, of two rows of houses, a row on the one side of the road and a row on the other side, and in some cases these were about a mile long. That was part of the turnpike road, and the county at each end had the same interest in maintaining that mile of road as in maintaining any other mile in the county. The Commissioners took evidence on the subject, and arrived at the conclusion that each burgh should have the option of merging itself in the county. Another reason was, that at the present day, in all these burghs, this mile of road, as he should call it, was now kept up by the county, and was, in every respect, part of the county. The effect of this Bill would be not to leave things as they were, but to cut out those burgh roads and to make them separate. His Amendment was to let the matter stand as it was just now. As far as the roads were concerned, they were liable to all the county tolls, and they wanted the option to remain liable to county assessments. It might be doubted by some hon. Members who had not looked into the subject whether these roads were kept up by the counties through the burghs. He might state that in the case of the county of Lanark a great deal of evidence was taken, and the whole question was thoroughly considered. The clerk of the county stated that such was the custom in all parts of Lanarkshire; and the Commissioners got evidence of what was actually expended by the County Trusts in keeping up the roads in the burghs of Lanarkshire. It appeared from the Report that £192 was spent in Airdrie, and that in all £672 was spent by the county on the small burghs of Lanarkshire, and £8,848 on Glasgow; and, of course, he could easily show that the same rule existed in other counties. He was not going into the case of Glasgow just now, because that was so important that no doubt it would be brought forward by an hon. Member for Glasgow, and discussed at considerable length. He would confine his attention to the small burghs. He represented no small constituency; but, having the opportunity of thoroughly investigating the facts of the case, he thought he understood them as well as anyone did, and in the interest of the small burghs who had few protectors, he begged to move this Amendment.

Amendment proposed,

In page 25, line 2, to leave out from the word "situated," to the end of the Clause, in order to add the words "and the owners and occupiers of lands and houses within such burghs shall be chargeable with the same rates of assessment as the owners and occupiers of lands within other parts of the county."—(*Mr. M'Laren.*)

Question proposed, "That the words 'on payment to such trustees' stand part of the Clause."

THE LORD ADVOCATE said, it was necessary to keep in mind that the burghs which were entitled to have the management of their own roads under this Act were the Royal and Parliamentary burghs and populous places with 5,000 inhabitants and upwards. The proposal here was that burghs with less than that population should have the option. The question was, whether those burghs generally desired to manage their own roads? He could only say that, so far as regarded these populous places, those through customs were unknown. It was only in some of the old Royal burghs that any such exactions were made. The proposal in the Bill was that where a burgh took the "upkeep" of its roads which ran through the burgh, it should take part with the county. The only question between the hon. Member for Edinburgh (Mr. M'Laren) and himself was on what terms were they to come in. His hon. Friend said on the same terms as the counties. He said that was hardly fair. It would be fair if they would throw in their lot in every case, and not only when they could get in at a cheap rate. They enjoyed their autonomous jurisdiction when it could be done at a cheap rate; but when it was more expensive, they wished to come in the county. Were it a good thing, they would remain out of the county; but when they had a bad thing, they wished to come in the county. It was left to the Sheriff to say what was a fair and reasonable payment to be made.

SIR GEORGE CAMPBELL wished to call the attention of the Committee to what he might call his point of view, as he happened to represent a burgh which was affected by this question. To begin with, he must say that the strong argument in favour of the Amendment of the hon. Member for Edinburgh (Mr. M'Laren) was this—that when the Bill was brought in last year, it was in the shape the hon. Member for Edinburgh now wished to put it. One inconvenience this year was that they had no explanation of the reasons why changes were made. This was one of the most important changes made in the present Bill. He brought it under notice the first day the Bill was introduced. The Lord Advocate said the object of the hon. Member for Edinburgh was to give to burghs under 10,000 inhabitants the option of joining in counties. For his part, his (Sir George Campbell's) object was to provide not for burghs under 10,000 inhabitants or under 5,000, but for the particular cases of Royal and Parliamentary burghs under the latter size. Many of these burghs had populations far less than 5,000. There was one such place which he represented—namely, Kinghorn—with a population of only 1,200 or 1,300. It so happened it was in the position his hon. Friend had described. It was a poor village, with a small population, lying along a great road, where there was great traffic. Not only one great road, but two others passed through the burgh. The consequence was that this burgh, which had hitherto never maintained the roads at all, would have to maintain three turnpike roads, with large traffic, which passed through the burgh. The case was still harder, because this burgh a few years ago extended their municipal boundary to the Parliamentary boundary. He thought this was a typical case, and he believed it would be entirely ruinous to this small burgh of 1,500 inhabitants to maintain three roads. It was a poor village; no carriage was kept, and but very few carts. They made no use of the road, and yet this Bill would impose upon them that heavy expense. What he had to submit was that these poor villagers should not be called upon to pay for the benefits which some of the larger burghs might derive from the autonomy which it was proposed to impose upon them. Then the right hon. and learned Lord Advocate said there was an appeal to the Sheriff, but no standard was laid down by which the Sheriff was to determine. Probably the Sheriff would think it his duty to see what the roads would cost, and to assign certain proportions commensurate with the cost of maintaining the roads. That would not be releasing the villages from this heavy burden. He did venture to hope that the Government would consider this matter, and that this clause would not be passed in a shape which would impose irreparable injury on the inhabitants of small burghs.

THE LORD ADVOCATE said, his hon. Friend was under a mistake as to the Bill of last year. He had that Bill in his hand, and the terms of the 45th section were precisely the same, word for word, as in the present Bill.

MR. J. W. BARCLAY believed that the right hon. and learned Lord Advocate would find the definition of the word "burghs" was different from the present one. He wished to point out that the small Royal burghs would be in a very hard position under this clause. There were a good many small burghs in the county of Fife, of small size and small population, which, by the conditions of this Act, would be separated from the counties altogether. Now, it would seem to be a great hardship for these small burghs to maintain a staff of officials, a surveyor, &c., for themselves on the small rental which they had. He thought that the rates ought to be made the same on Royal burghs of 3,000 or 4,000 inhabitants, as on the counties in which they were situated. He did not see why any difference should be made between Royal burghs and police burghs of the same number of inhabitants. When it came down to a small number, it seemed to him that it would be more convenient that for the purpose of the roads the burgh should be joined with the county. That would be the most easy solution of the question. Burghs of 5,000 or 10,000 population had the power to be independent if they thought proper; and, having this power, could protect themselves. The Sheriff would scarcely know how to act, and it seemed to him that it might be more conveniently arranged to the satisfaction of all parties by a re-arrangement of the clauses referring to Royal burghs.

MR. GRANT pointed out that the burgh of Musselburgh would be unfortunately situated with regard to this clause. Instead of having to maintain three or four miles, they would have to keep up nearly eight miles of highways. That arose from the boundary of the burgh running along a public road. This road was not bounded by houses on either side. It was, really, a part of the great highway between Scotland and England. It would be very hard indeed to prevent this burgh from throwing itself into the county at the county rate. The Lord Advocate had spoken of the indisposition of the counties to make bad bargains; but what made the bargains bad for the counties but the fact that under this Bill some of these burghs had been hardly used and overburdened in taking their share of the highways? It followed from that, as a matter of course, that the counties were under-burdened; and it was, therefore, not unfair that the burghs should ask to be entitled to be assessed at the county rate. It had been justly observed by the hon. Member for Kirkcaldy, that—

> "If the burgh title to be assessed at the same rate as the counties were not granted, no boon would be conferred upon the burghs at all by this Bill."

Then, with regard to the appeal which lay to the Sheriff, to which the Lord Advocate had referred. This would not do away with the hardship complained of, because the Sheriff would not be entitled to say—"You shall be assessed at the county rate." He would be obliged to treat the matter as a question of law, and would say—"If Parliament had intended you to be assessed at the county rate under this Act, it would have said so; but it does not say so." Therefore, he thought that it was not demanding a very great boon, to ask for these small burghs, from which, as in the case of Musselburgh, their present right to petty customs was sought to be taken away, that they should be allowed to throw themselves into the county and claim to be assessed at the county rate.

SIR EDWARD COLEBROOKE said, he was sure there was no intention on the part of the right hon. and learned Lord Advocate to deal hardly with the small burghs. If the intention were to prevent the Sheriff's dealing in a general way with any appeal made to him, he thought the clause might be so modified as to effect a compromise.

THE LORD ADVOCATE had not the least objection to modify the clause to the extent of investing the Sheriff with a discretionary power to make such an arrangement as he might deem equitable.

MR. M'LAREN said, he had failed to catch the extent of the concession suggested by the right hon. and learned Lord Advocate.

THE LORD ADVOCATE said, the effect of the alteration he intended could not give a very wide discretion to the Sheriff; but it would be wider than that which was conferred by the clause as it stood.

MR. RAMSAY thought it right to ask the right hon. and learned Lord Advocate to agree to a provision that the rate imposed on the burgh should not exceed that levied on places immediately surrounding the burghs. He thought an arrangement of that kind would be satisfactory, and ought to be effected. It was a hardship that the burghs, through which the county roads passed, should not be allowed to merge their jurisdiction into that of the county, and throw themselves into the county rate.

MR. M'LAREN remarked, that he had just referred to the Report of the Commission with regard to the case of Musselburgh, to which the hon. Member for Leith (Mr. Grant) had called the attention of the Committee, and found that the county trustees paid £400 a-year. The road in question went far beyond what a stranger would consider to be the town of Musselburgh, and embraced a considerable part of a purely county road. This was now kept up by the county. Why should it not continue so to be kept up in future? Musselburgh claimed no exclusive right. It said—"We are now part and parcel of the county as regards roads—leave us so as regards county rates."

GENERAL SIR GEORGE BALFOUR hoped that the right hon. Gentleman the Home Secretary would find it possible to make a suggestion that would enable the Lord Advocate to effect a compromise, so that further time might not be wasted.

MR. ASSHETON CROSS said, that the Sheriff might be bound to treat a question which should arise under the Act as one of law. He thought the proposition of his right hon. and learned Friend the Lord Advocate was extremely fair, and that it ought to be readily accepted, as it gave the Sheriff considerable latitude in considering all the circumstances of the case.

GENERAL SIR GEORGE BALFOUR thought the Home Secretary might add a few more words with advantage in view to reconciling the conflict between county and burgh.

MR. ASSHETON CROSS said, the Government could do nothing further than they had done. He hoped the Committee would come to a decision at once.

MR. RAMSAY hoped that the right hon. Gentleman would still consider the expediency of providing that the rate levied on the burgh should not exceed that which was imposed on the surrounding districts.

LORD ELCHO thought the right hon. and learned Lord Advocate should consider whether it would not be possible to legislate generally on the subject, and whether any special legislation should not be rendered unnecessary. The question would arise in the county with which he was connected. All hon. Members wished that justice should be done to the small burghs, and he believd that this would be effected better by a general clause than by a special clause referring to Acts that would expire in a certain time. Perhaps the right hon. and learned Lord Advocate would consider the suggestion before the matter came on again.

Sir GEORGE CAMPBELL said, he admitted that the remedy proposed was better than no remedy at all; but it appeared to him that it would be advisable to go further, for the Sheriffs would find themselves placed in a very difficult position. He hoped that the Government would concede so much for the benefit of the small burghs, that they should not be placed in a worse position than they now occupied. It would be hard if the Bill, which was intended to confer a benefit on the people of Scotland, should have that bad effect; and unless some assurance were afforded that the small burghs would not be placed in a worse position than they then were, he thought the contest must be continued to the bitter end.

Mr. M'LAREN said, he was sorry to detain the Committee; but was obliged, from a sense of duty, to challenge a division.

Mr. MARK STEWART said, he represented several Royal burghs which would be affected by the Bill; but he believed that the words proposed by the Government would have the desired effect. If he thought otherwise, he would be compelled to vote against the Government. He hoped the hon. Member for Edinburgh would wait for the Report to see whether he ought to divide on the question. If he should then think fit, he could do so.

Question put.

The Committee *divided* :—Ayes 131; Noes 65: Majority 66.—(Div. List, No. 176.)

Maintenance and Repair of Highways, and Assessments therefor.

Clause 46 (Report on condition of highways, and estimate of cost of maintenance); Clause 47 (Board to meet and consider reports); and Clause 48 (Roads or highways may be shut up for repairs); severally *agreed to.*

Clause 49 (Assessments in counties for management, maintenance, and repair).

Mr. MARK STEWART said, he would move to omit the word "five" in page 26, line 25 of the Bill, in order to insert the word "four." His object in so doing was, as £4 was the usual basis of assessment in other matters, to simplify the assessment in counties for the management, maintenance, and repair of roads. He hoped the Government would concede this point.

Mr. J. W. BARCLAY said, he had an Amendment to propose which should precede that of the hon. Member for the Wigton Burghs (Mr. Mark Stewart). He would move to omit that part of the clause, between the word "respectively" in line 14, to the word "district" in line 16, so as to make the first portion of the clause read thus—

> "The amount required for the management, maintenance, and repair of the highways within each district respectively, along with a proportion of the general expenses of executing this act, as allocated by the trustees in the manner hereinbefore mentioned, shall be levied by the trustees by an assessment to be imposed at a uniform rate on all lands and heritages within such district."

The effect of this clause was to revive the old system, a consequence of which had been that the rate in one parish was sometimes 1*d.* in the pound, and that of the parish immediately adjoining it, 6*d.* He thought it would be very dangerous to give to the trustees the power which would be vested in them if the clause were adopted as it stood; and, therefore, hoped that the words would be omitted.

The LORD ADVOCATE said, there were possibly parishes in which the difference was not only warranted, but justifiable. The first part of the clause, as proposed by the Government, read as follows:—

> "The amount required for the management, maintenance, and repair of highways within each district respectively, or in the option of the trustees, within the several parishes constituting such district," &c.;

and it was the latter part of the sentence that the hon. Gentleman opposite (Mr. Barclay) desired to see omitted. He thought it would be useful, however, to retain the clause in its original form, as the words proposed to be omitted were essential to the object contemplated by Government.

Amendment *negatived.*

Colonel ALEXANDER said, he thought it was absolutely necessary to fix some limit of assessment. The whole assessment of the county which he represented was 3*d.* in the pound; and he, therefore, believed that the rate of 4*d.* in the pound was sufficient. He begged to move that after the word "assessment" in page 26, line 18, the words "not exceeding fourpence in the pound" be inserted.

THE LORD ADVOCATE was glad to hear that the rates in Ayrshire were so satisfactory; but he could not consent to the Amendment, because, in many counties where Local Acts were retained, the rates were higher than 4*d.* in the pound.

LORD ELCHO said, that in his county, 6*d.* in the pound was not found more than sufficient.

SIR ALEXANDER GORDON observed, that was the case in his county also.

MR. RAMSAY believed it would be well to limit the assessment to 4*d.* in the pound on occupiers, provided the Bill was so modified as to enable an assessment to be levied upon the proprietors under special circumstances for any excess of the expenditure for road management.

MR. VANS AGNEW stated, that in his county the rate had never exceeded 4½*d.* in the pound. The Local Act had been in operation there during the last 12 years, and the rate had been 4*d.* in the pound in one part of the county and 4½*d.* in the other.

SIR WINDHAM ANSTRUTHER said, the second part of the same clause ran thus—

> "And such assessment shall be paid, one-half by the proprietor, and the other half by the tenant, or occupier of the lands and heritages on which the same is imposed, except in the case of lands and heritages entered in the Valuation Roll as of the annual value of five pounds or under, in which case the whole of the assessment on such lands and heritages may, in the option of the trustees, be levied from and paid by the proprietor, who shall be entitled to recover the half thereof from the tenant or occupier."

He proposed, by way of Amendment, to leave out from "district" in line 20, to "and" in line 21, with the view of making the clause read as follows:—"And such assessment shall be paid by the proprietor, who shall, &c." In rural districts the proprietors would have to pay the whole of the taxes, and they might as well make a beginning at once. It must be borne in mind that the majority of the people on whom such a rate would be levied were poor, and they would pay very unwillingly. It was quite clear that in the end the proprietor would have to pay the whole charge, and he might as well do it directly as indirectly.

MR. J. W. BARCLAY supported the Amendment. They had heard over and over again that the proprietor, and not the tenant, paid this taxation; and it would be a much simpler process, independent of its economic results, to collect the money direct from one person. For that reason, he was in favour of the Amendment.

MR. RAMSAY said, it was to be regretted that they should waste time in discussing Amendments which were contrary to the whole spirit and tone of the Bill. It was surprising that such obstruction should come from the other side of the House.

Amendment *negatived.*

SIR WILLIAM CUNINGHAME said, he had an Amendment on the Paper substituting for the provision that

> "One-half of the assessment shall be paid by the proprietor, and the other half by the tenant or occupier of the lands and heritages on which the same is imposed,"

a provision that, during the continuance of leases existing at the commencement of Act, three-fourths should be paid by the tenant, and one-fourth by the proprietor; while, on the expiration of the leases, three-fourths should be paid by the proprietor, and one-fourth by the tenant.

THE CHAIRMAN pointed out, that by negativing the previous Amendment, the Committee had affirmed the principle that one-half should be paid by each. Therefore, the Amendment could not be put. It ought to have been proposed earlier.

SIR WILLIAM CUNINGHAME regretted, that through his ignorance of the Forms of the House, he had made a mistake. He would propose the Amendment on the Report.

COLONEL ALEXANDER moved, in page 26, line 25, to leave out "five" and insert "four." In the Bill it was provided that assessments on lands and heritages of £5 and under might, at the option of the trustees, be levied entirely from the proprietor, leaving him to recover one-half from the tenant or occupier.

Amendment *agreed to;* word *substituted.*

Clause, as amended, *agreed to.*

Clause 50 (Maintenance of bridges in two districts).

Mr. FRASER-MACKINTOSH moved, in page 26, line 42, after "districts," to insert the following words:—

> "And with respect to the suspension bridge across the river Ness, erected with public money under the Act of the fourteenth and fifteenth years Victoria, chapter sixty-six, for the accommodation of the Northern counties, by the Parliamentary Commissioners, the burden of maintaining the said bridge shall in future rest on the county and burgh of Inverness, in proportion to their respective real rents, as established by the Valuation Rolls thereof."

His Amendment aimed to remedy a statutory injustice under which the burgh of Inverness suffered. In the year 1849 there was a bridge across the Ness which had been free from tolls for a very long period. In that year, as was alleged, from the alterations upon the Caledonian Canal, the bridge was swept away. After some years another bridge was erected over the river by Parliament. The money was administered under a special Act of Parliament—namely, the 14 & 15 *Vict.* c. 66—and by the Parliamentary Roads and Bridges Commission; and under it, and the 18 & 19 *Vict.* c. 113, the maintenance of the bridge fell upon the whole of the Northern counties, including Inverness, Ross, Sutherland, and Caithness. Some years after Parliament resolved that they would no longer grant money in support of Highland roads and bridges, and passed the 25 & 26 *Vict.* c. 105, by which the Northern counties, other than Inverness, were expressly relieved of the maintenance of this suspension bridge; and the bridge was transferred to, and vested in, the Commissioners of Supply for the county of Inverness, and at the present moment was their property. Previous to the passing of the Bill, the burgh only paid its fair proportion of maintenance. By Section 14, it was declared that the burgh must pay for maintaining the roads within the burgh boundaries, which was fair enough. Nothing was directly said as to the maintenance of bridges within the burgh bounds. Now, the suspension bridge lay entirely within the burgh boundaries.

The LORD ADVOCATE said, the hon. Member would, he was sure, excuse an interruption. He would call his attention to the fact that the clause applied to bridges not wholly within a burgh or a county, but partly situated in one and partly in another. Clause 85 applied to bridges wholly within a county; and, as the bridge was wholly within the county, he thought upon consideration the hon. Member would see that his Amendment would come better later on.

Mr. FRASER-MACKINTOSH asked the Chairman of Committees if that were his ruling on the point?

The LORD ADVOCATE said, he was not in the least objecting to his hon. Friend moving his Amendment then; but he was merely pointing out that his Amendment would come better on Clause 85, which applied to bridges that were entirely within the boundaries of a county as that was.

Mr. FRASER-MACKINTOSH said, that being the case, he would withdraw the Amendment for the present.

Clause 51 (Assessment in burghs for maintenance and repair); Clause 52 (Former modes of assessment may be retained in certain burghs); severally amended verbally, and *agreed to.*

Contracts by Road Authorities.

Clause 53 (Power for road authority to make contracts in respect of repair of roads, highways, or bridges), verbally amended, and *agreed to.*

Extraordinary Traffic.

Clause 54 (Power of road authority to recover expenses of extraordinary traffic).

Mr. ASSHETON CROSS said, they would postpone the clause.

Sir EDWARD COLEBROOKE: Will it be taken at the end?

Mr. ASSHETON CROSS: Yes.

Clause *postponed.*

Construction of New Roads and Bridges.

Clause 55 (New roads and bridges may be constructed by the board, and assessed for upon proprietors).

Mr. J. W. BARCLAY moved, to insert in the sentence, in line 4, "the board, subject to the approval of the trustees, may resolve to construct any new bridge," &c., the words "trustees or" before the word "board." He thought that Amendment would make the clause a little more explicit.

The LORD ADVOCATE said, he would not oppose the Amendment for a moment, if he thought it would make the clause more explicit; but he did not think it would at all have that effect. He wanted the board, as constituted, to act in this matter as bridge trustees.

Mr. J. W. BARCLAY said, he would withdraw the Amendment, but he really thought his next was necessary. He wished to insert in the same line, after the word "trustees" the sentence "other than elected trustees." The clause required to be more explicit. It provided that the terms of the contract were to be subject to the approval of the trustees, which surely meant the whole of the trustees; but the elected trustees had no vote in such questions. It would, therefore, be far more convenient to have it explained that it referred to trustees other than elected trustees.

The LORD ADVOCATE said, he objected to this Amendment even more than to the last; because, when the word "trustees" was used, it was implied that it meant the word according to the interpretation previously given. If they admitted the Amendment, it would imply that the matter was not sufficient, as it was previously left, whereby it was provided that when there were any new roads or bridges to be provided, certain trustees should not act.

Mr. J. W. BARCLAY said, on the assurance of the Lord Advocate, that there was no risk of a misunderstanding, he would withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Colonel ALEXANDER moved, as an Amendment, in page 29, line 17, after "assessment," insert "not exceeding one penny in the pound." His reason for doing so was, that in the existing county Act the assessment was limited to a halfpenny in the pound; and if that amount were found sufficient, double that amount ought to be more than necessary here.

Amendment *negatived.*

Clause *agreed to.*

Valuation and Allocation of Debt.

Clause 56 (Appointment of Debt Commissioners).

On the Motion of Mr. J. W. Barclay, the following Amendment was made in page 30, line 14:—After "provided," insert "where the parties fail to agree."

Clause, as amended, *agreed to.*

Clause 57 (Clerks of trusts to make out list of debts).

On the Motion of Mr. J. W. Barclay, the following Amendment was made:—In page 30, line 31, after "labour" insert "and bridge."

Clause, as amended, *agreed to.*

Mr. ASSHETON CROSS said, they would now report Progress, and take the Bill again the first thing on Thursday.

Mr. CAMPBELL - BANNERMAN said, he should have been glad if the Government could have arranged to have gone on with the Bill again that evening; but, as his hon. Friend the Member for Paisley (Mr. W. Holms) who had secured the evening for his Motion as to the Church Establishment, was absent, he feared that was impossible.

House *resumed.*

Committee report Progress; to sit again upon *Thursday.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

MOTIONS.

RELIGIOUS DENOMINATIONS (SCOTLAND).

MOTION FOR A SELECT COMMITTEE.

Mr. W. HOLMS: Sir, in accordance with the Notice which I gave some time ago, I now rise to call the attention of the House to the relative position of the various Religious Denominations in Scotland; and to move—

> "That a Select Committee be appointed to inquire into the operation of the Patronage Act of 1874, and its effect on the reciprocal relations

of the various Religious Denominations in Scotland, and to ascertain how far the people of Scotland are in favour of maintaining the connection between Church and State in that Country."

I have to ask the indulgence of the House while speaking on a question of so much importance to the people of Scotland, and which I am sure cannot be regarded with indifference by the people of England or Ireland. The fact that my hon. Friends the Members for East Aberdeenshire (Sir Alexander Gordon) and Perth (Mr. C. S. Parker) gave Notice that they also would move for inquiry with reference to the state of religious parties in Scotland, is an evidence that this question is exciting wide and general interest in Scottish constituencies. I should have preferred that this question had been brought forward by Her Majesty's Government, as I believe the time has come when, in the interests of religion and in justice to the various religious denominations in Scotland, it is desirable that we should ascertain whether or not the people of Scotland are in favour of maintaining an Established Church in that country. I have asked for a Select Committee, as I believe it is more likely to come to an early decision than a Royal Commission. I assure hon. Members that, in moving this Resolution, I do so with a sense of the grave responsibility which attaches to a private Member who takes up a question which, directly or indirectly, affects a great and time-honoured national institution. I can further assure them that I shall approach this subject in no spirit of partizanship, or from any hostile feeling to the Church; but I shall endeavour to do so in a fair and, as far as possible, in a judicial spirit. I would remind hon. Members that ecclesiastical questions, whether of faith or Church government, have at all times excited the most intense interest among the people of Scotland. It is true that for many years the bitter feelings which were called forth by the Disruption have to a large extent died away. Those feelings, however, have again been aroused, and fresh interest has been given to this question by two recent events—namely, the abolition of patronage by the Act of 1874, and the declaration of the noble Marquess the Leader of the Opposition. When on a visit to Scotland last autumn, he said that if the people of Scotland desired the disestablishment of the National Church, he and the Liberal Party would be in favour of giving effect to their wishes. After such a declaration, it was impossible that this question could be put aside; and so long as it continues unsettled, so long shall we have that irritation and that waste of religious power arising from a state of things which Scotchmen of all Parties must deplore. In considering the Resolution which I have proposed, I would ask hon. Members to do so not from an English or Irish, but, if possible, from a Scottish point of view, and with reference to the history, the feelings, and the wants of the people of Scotland. The position and circumstances of the Church of Scotland are entirely different from those of the Anglican Church, or the Church of Ireland before it was disestablished. What, therefore, may be suitable in one country may not be suitable in another. In Ireland you had a State Church enjoying great revenues, ministering to a mere fraction of the people, and having little or no sympathy with the history, the feelings, and the religion of the great mass of the people. That Church has been disestablished. In England you have an Established Church which has still a strong hold on the people and a close connection with the State. Side by side with that Church you have a powerful and energetic Body of Nonconformists, whose system of Church government, whose forms of Church worship, and, in some respects, whose Articles of Faith are different from those of the Church of England; and whose ministers are, as a rule, drawn from a less aristocratic class than those of the State Church. The consequence is, that socially as well as ecclesiastically, the laity and clergy of the Church of England on the one hand, and of the Nonconformists on the other, to a large extent keep themselves apart from each other. In Scotland we know of no such distinctions between Churchmen and Nonconformists. There, the connection between Church and State has always been slender; and now, by the passing of the Patronage Act, has become attenuated to such a degree that, practically, it is independent of the State. Happily, nearly all Scotchmen have a common interest in the history of the Church of Scotland, for they either belong to it or have sprung from it.

They can unite in admiring the far-seeing and statesmanlike sagacity of John Knox and his able coadjutors in planting a church and a school in every parish; and, although from time to time, one Body after another have felt it to be their duty from conscientious motives to leave that Church, the highest tribute that can be paid to the memory of the great Reformer is to be found in the fact that the three great Presbyterian Bodies in Scotland are the same in doctrine, discipline, and form of Church worship. The union of Churches, having so much real agreement and so much in common, would appear to be natural and easy, and as I think, with my hon. and gallant Friend the Member for East Aberdeenshire, it certainly would be most desirable; but, unfortunately, this has not been found to be the case. To understand this, we must look to the past history of the Church of Scotland. After the Reformation, with the exception of a comparatively small number of Episcopalians and Roman Catholics, all Scotland was Presbyterian, and all Presbyterians, with an insignificant exception, were united in their adherence to the National Church. From that time down to the present day, the cause of every secession from her pale has directly or indirectly been the question of patronage. During the last 300 years patronage has been thrice established and thrice abolished, and during that long period it has never ceased to agitate the people of Scotland. In 1560, the "First Book of Discipline," which, although not formally ratified by Parliament, was subscribed by a majority of the Privy Council and by the General Assembly, lays down the principle on which the appointment of ministers should proceed in the following words:—

> "It appertaineth to the people and to every several congregation to elect their ministers,"

and adds—

> "For altogether this is to be avoided, that any man be violently intruded or thrust in upon any congregation, for this liberty with all care must be reserved to every several church to have their votes and suffrages."

The Book of Discipline, which received the sanction of the General Assembly in 1578, and became the authorized standard of the Church of Scotland in regard to government and discipline, again affirmed that—

> "None are to be intruded into any ecclesiastical office contrary to the will of the congregation to which they are appointed."

Notwithstanding that such was the constitution of the Church of Scotland for more than 30 years after the Reformation, an Act was passed in 1592, which provided that the Presbytery

> "be bound to receive and admit qualified ministers presented by the Crown or other lay patrons."

This Act remained in force till 1649, when patronage was abolished as being

> "unlawful and unwarrantable by God's Word, and contrary to the doctrine and liberties of the Kirk."

This Act was annulled by Charles II. in 1660, and patronage once more was restored. In 1690, by what was known as the Revolution Settlement, patronage was again abolished. Previous to the Union of Scotland and England, so anxious were the people of Scotland to preserve all their national privileges, that what is known as the Act of Security was passed by the Scottish Parliament. In that Act, which was afterwards ratified by the Act of Union, it was expressly stipulated—

> "That the true Protestant religion, as presently professed within this Kingdom, with the worship, discipline, and government of this Church, shall be effectually and unalterably secured;"

and adds—

> "to continue without any alteration to the people of this land in all succeeding generations."

It would be difficult for language to convey more clearly the idea that, in forming a Union with England, all the existing rights and privileges of the Church of Scotland were to remain unimpaired and intact. Notwithstanding this solemn agreement, in 1712 an Act was passed—too well known afterwards as the Act of Queen Anne—with such indecent haste, that the people of Scotland and the General Assembly had no time to oppose legislation which was in direct violation of the Treaty of Union, and most distasteful to the whole country. That proceeding was immediately protested against by the General Assembly. In the following year they attempted to have the Act repealed, but were unsuccessful. From that time down till 1783, the General Assembly year after year gave instruction to their

Commission to take every opportunity to have the law altered, but without avail. Sir, I have been thus particular in referring to the history of patronage, in order to show that the people of Scotland have always been averse to patronage, that it was not in accordance with the principles of the Church of Scotland at the Reformation, and was in direct violation of the Act of Union. I shall now, with the permission of the House, endeavour to show that at all times the people of Scotland have been warmly attached to the principles of the Church of Scotland as they were at the Union, and that all secessions from her have been made, not by way of dissent from these principles, but in opposition to the forced departure in the Church itself from one of her fundamental principles—"That it appertaineth to the people to elect their minister." In 1733, the forcing of a minister on the parish of Kinross, in opposition to the wishes of an overwhelming majority of the people, led to the secession of the Rev. Ebenezer Erskine and other protesting clergymen, who formed themselves into what became known as the "Associate Presbytery." But, Sir, those men, in leaving the Church, did so avowing their unaltered adherence to the doctrine, discipline, and government of the Church. In 1752, repeated acts of forcing ministers on objecting parishes led, in 1761, to the second secession, known as the "Presbytery of Relief," because the seceders took this method of obtaining relief from intolerable tyranny of patronage. They had no desire to be regarded as schismatics, and earnestly declared that they withdrew from the Church of Scotland because her principles had been violated. Such was the determination to have freedom from patronage, that by 1773 there were no less than 190 congregations of seceders, and in 1834 they numbered upwards of 600, nearly all of whom had by that time adopted what was known as the Voluntary principle—that is, that there should be no connection between Church and State. In that year, the General Assembly of the Church of Scotland, in order to remedy the evils of patronage, passed the "Veto Act," by which a presentee might be set aside, if objected to by a majority of the male heads of families being communicants. Disputes arose as to the legality of this Act, culminating in the Disruption of 1843. One of the last acts of the General Assembly of the Church of Scotland previous to that event was to carry, by a majority of 241 to 110, what was known as the "Claim of Rights," in which they claimed a spiritual independence of the civil magistrate, and complained that the Court of Session, by compelling the Church to carry out its decisions with reference to disputed settlements of ministers

> "had invaded the jurisdiction and encroached upon the spiritual privileges of the Courts of the Church."

They further declared that they could not intrude ministers on reclaiming congregations, and that at the risk and hazard of suffering the loss of the secular benefits conferred by the State and the public advantages of an Establishment. On the same day they adopted a Petition to the Crown, praying to be delivered from the "grievance of patronage," as being

> "opposed to the discipline of the Church as set forth in her earliest constitutional Standards,"

And also—

> "as a breach of the Revolution Settlement and an infringement of the Treaty of Union."

They add—

> "The exercise of patronage has been attended with great injury to the interests of religion, and has been the chief source of the Dissent that exists in Scotland."

And they further stated—

> "It is the main cause of the difficulties in which the Church is at present involved;"

and concluded by a prayer for such a measure as would secure

> "the rights of congregations in the appointment of their ministers."

This Petition was presented to the House of Commons by the Right Hon. Fox Maule, who moved that the House should go into Committee to take into consideration the claims of the Church of Scotland. The result of two days' discussion was, that his Motion was defeated by 211 to 76; but it is a significant fact that, of the Scottish Members who voted, 25 were in favour of the Motion, while only 12 were against it. That decision was, I think, a great political blunder on the part of the statesmen of the day. The result was, that upwards of 470 ministers left the National Church, and claiming in their freedom to be the true custodiers of the principles of that Church, and supported by a large number of the people, formed themselves in the Free Church of Scotland. Whatever difference of opinion may exist as to the wisdom of the course which they took, I venture to say that history cannot furnish a nobler example of self-denial, and of determination, at all hazards, to act in obedience to the dictates of conscience than that of those men leaving the Church of their fathers, and throwing themselves on the liberality of the people for support. It is an event of which not only Scotland but the Empire may be proud, and from which undoubtedly religion and education received an impetus which has had an important and beneficial effect on the people of Scotland for the future—while it almost rendered the power of lay patrons inoperative. Sir, those men, clergy and laity, left the Church of Scotland, not because they disapproved of an Established Church, but because they could not comply with the conditions attached to that Church. In the famous Protest which they made on leaving, they used these remarkable words—

> "While firmly asserting the right and duty of the civil magistrate to maintain and support an Establishment of religion in accordance with God's Word, we do not hold ourselves at liberty to retain the benefits of the Establishment while we cannot comply with the conditions now desired to be thereto attached."

I think I have said sufficient to prove that the main cause of all Dissent in Scotland has been the question of patronage; but, Sir, I shall fortify myself still further by quoting the words of Lord Macaulay, a statesman who gave great attention to this subject. He said—

> "The British Legislature violated the Act of Union and made a change in the constitution of the Church of Scotland. From that change has followed almost all the Dissent now existing in Scotland; for the Act of 1712 undoubtedly gave rise to every secession and schism that has taken place in the Church of Scotland."

When patronage was abolished in 1874, the Church of Scotland was simply restored to its original constitution and put in accord with the universal practice of all the Presbyterian Churches of Scotland, while the main cause of all Dissent was removed. I, in common with many others, voted for that Act, believing that it would be a healing measure, and that some way might be devised by which those Churches which had seceded on account of patronage might again be united and form a strong National Presbyterian Church. That expectation has not been fulfilled. It is true that eight ordained ministers from the Free Church, and about 15 or 16 from other Bodies, and three or four congregations have joined the Church of Scotland; but such isolated action has naturally rather been productive of irritation than of union; and two great Dissenting Bodies — namely, the Free Church, and the United Presbyterian Church, naturally ask why they, who protested against patronage, and gave up so much for principles which they held dear, now that patronage has been abolished, should be placed in a different position from the Church of Scotland? What, then, is now the ecclesiastical position of Scotlannd? It is a very remarkable one. If by a Church is meant a body of men bound together by community of beliefs and similarity of Church forms, then all Presbyterians in Scotland are, in reality, one Church; but, unfortunately, in the actual relations to each other, they are divided into three distinct Churches. First of all we have an ancient Church established by law, enjoying all the revenues set apart for religious purposes, a Church whose history is closely interwoven with all that is great and glorious in the history of Scotland. Those who are within her pale and those who have left it will, I think, equally acknowledge the accuracy of the opinion expressed by the Royal Commission appointed in 1834 on Religious Worship in Scotland, when they reported—

> "We believe that no institution has ever existed which, at so little cost, has accomplished so much good. The eminent place which Scotland holds in the scale of nations is mainly owing to the purity of the Standards and the zeal of ministers of its Church, as well as to the wisdom with which its internal institutions have been adapted to the habits and the interests of the people."

The Church of Scotland has moulded all the other Churches which from time to time have left her; but time and circumstances have, in one respect, changed those Churches. The Free Church, which comes next in importance, when it left the Church of Scotland did so, as I have pointed out, protesting that it still adhered to the principle of having a Church in connection with the State. Long disconnection with the State, and no doubt a natural feeling of jealousy towards the Established Church has, to some extent, brought about a change, so that there is a division of opinion in the Free Church as to whether or not there should be a State Church. The United Presbyterian Church, which is third in importance, and combines within itself nearly all the earlier seceding Churches, has, from longer separation from the State, as a rule become opposed to all connection between Church and State. Those three great Presbyterian Bodies—namely, the Established, Free, and United Presbyterian Churches—embrace 85 per cent of the church-going people of Scotland; while the various smaller denominations, such as the Independents, Roman Catholics, and Episcopalians, include about 15 per cent. I shall now call the attention of hon. Members to the hold which those three Churches have respectively on the people of Scotland. This is somewhat difficult, as we have no reliable statistical information on the subject till we go back to 1851, when a religious census was taken in connection with the usual Census. At that time, I find that the total number of places of worship in Scotland was 3,395, and the attendance on the morning of the 30th March was roundly 944,000, apportioned as follows:—The Church of Scotland had 1,183 places of worship, and 351,500 present at worship; the Free Church had 889 places of worship, 292,300 present at worship; the United Presbyterian Church had 465 places of worship, and 159,200 present at worship. All other Churches had 858 places of worship, and 141,000 present at worship. From this, it is evident that at that time the Church of Scotland supplied little more than a third of the places of worship, and had only 37½ per cent of the church-going population attending her services. It is interesting to note how far each of the three Churches has since that date supplied the religious wants of Scotland. The Church of Scotland, notwithstanding the shock which she received at the Disruption, entered on a career of church extension with so much vigour that, in 1877, her places of worship had increased from 1,183 to 1,406, or an increase of 19 per cent, exclusive of 126 preaching and mission stations. The Free Church had increased from 889 to 1,032, or 16 per cent; and the United Presbyterian Church from 465 to 525, or 13 per cent. From this, it would appear that the Church of Scotland had, relatively, made greater progress in providing accommodation than either of the other two Bodies. Whether the number of adherents has increased in the same proportion, we have no reliable information to guide us; but I think we may fairly assume that it has been in similar proportions. Allow me now to call the attention of hon. Members to the annual revenue of the respective Churches. From a Return made to this House in 1874, I find that the Church of Scotland had from teinds, £235,759; Exchequer grants, £16,300; local sources—chiefly rates in towns—£23,502; total, £275,501. That constituted the amount of her State or national endowment. I may here note that of her 1,406 churches, only 988 are endowed by the State—the remaining 418 being endowed or supported by voluntary contributions. If, however, we are to form an estimate of the energy of the respective Churches, as shown by their contributions for Church and other religious purposes of all kinds, we must look to their official returns. From those, I find that in 1876, 1,286 churches connected with the Church of Scotland contributed £374,715. If we take the same proportions for the churches which made no returns, the amount would be £408,600, or nearly £291 per congregation—a sum greatly in excess of all she received from the State. The Free Church, during the same year, raised £575,719, or £558 per congregation; while the United Presbyterian Church gave £378,079, or the enormous average of £710 per congregation. From this statement, it would appear that the total amount of free-will contributions of the three great Presbyterian Bodies, which form 85 per cent of the population of Scotland, amounted in 1877 to £1,363,400. If we take the Independents, Roman Catholics, Episcopalians, and other smaller denominations, as contributing in a similar proportion, as they form 15 per cent of the population, we must add, say £204,500, or a total of free-will offerings amounting to £1,567,900; while, as I have already stated, the total amount of State endowment amounts only to £275,500, or, in other words, the maintenance of religion in Scotland costs roundly £1,843,400 a-year, of which the State endowments amount to rather less than 15 per cent. From this, it is evident that the maintenance of religion in Scotland does not mainly, or even to any considerable extent, depend on State endowments. And now, as to the present position of the Church of Scotland. It is impossible to deny that, owing to the causes to which I have referred, a great change has taken place, especially since the Disruption. Formerly, the Church was extensive with the country. Now, of rather more than 4,000 places of worship, she has only 1,406, or about 35 per cent. Then, the parish minister gave the benefit of his ministrations to, and they were accepted by, the whole parish. Now, he is the minister of a particular congregation in a parish, while in some districts in the Highlands he has almost no congregation. I find, for instance, that in 1851, and I believe the proportion is much the same now, in four Northern counties — Caithness, Sutherland, Ross, and Cromarty—only 2,100 out of 36,250, or six out of every 100, of the church-going people of those counties attended the parish church. In those districts, the anomalous position of the Established Church, whose ministers, it has been well said, gather the wool while others tend the flock, is a continual source of irritation, a waste of ecclesiastical power, and a scandal which is injurious to religion. If we, on the other hand, turn to two of the great centres of population—namely, Edinburgh and Glasgow—we find, from the same source, that the number of church-going people attending the Established Church in those cities was rather under 24 per cent, a proportion which, in both cases, was slightly exceeded by the Free Church. Having thus endeavoured to put before the House, as clearly as I can, the relative positions of the Established, Free, and United Presbyterian Churches, the question arises—Are the people of Scotland satisfied with the present state of things? There are many, myself among the number, who would hail with pleasure any scheme which would unite all Scottish Presbyterians into one strong National Church, retaining those endowments which have hitherto belonged exclusively to the Established Church, but sharing them in common. There are, however, difficulties in the way, which appear to be all but insuperable. It would be rash to deny that, had patronage been abolished in 1834, instead of 1874, it would in all probability have prevented the Disruption of 1843, and there would have been no occasion for the assertion on the part of that Church of that spiritual independence which she has always claimed; but which, as formulated by the Free Church in their celebrated Claim of Rights at the Disruption, the State is not likely to acknowledge. The difficulties in connection with the United Presbyterian Church are even greater, as they are opposed on principle to all religious State endowment. There are others who would be glad to see the Church disestablished, and the funds which are now used for the endowment of religion applied to some other purpose of a national character, such as education—as thereby all classes, Churchmen and Dissenters, would alike share in the benefits of reduced school rates. I have already pointed out that less than 40 per cent of the church-going population attend her places of worship, while her endowments and free-will offerings put together amount to less than 40 per cent of the money expended in connection with religion in Scotland. I venture to think that hon. Members will agree with me, that a Church can only be regarded as a National Church so long as its continuance is in accordance with the wishes of the majority of the people. The real question, therefore, is—Do the people of Scotland wish that the Established Church, notwithstanding the anomalous position in which it is placed, should be continued as a National Church, or that it should be disestablished and disendowed? I believe that I am warranted in saying that, beyond her own pale, there are many who would not wish to see the Church disestablished. There are many members of the Free Church who still adhere to the principles which were so emphatically stated at the Disruption that, although they had to leave the Church because they held the principles of the Church to be violated, they still held that there should be a Church in connection with the State. As an example of this feeling, let me quote from a letter written recently by Lord Moncreiff, one of the most distinguished leaders of the Free Church—

> "As an adherent of the Free Church, I see no more reason for taking any part in an agita-

tion against the Established Church now than the leaders of the great body of the General Assembly did in 1843."

Then, again, there are some even among the United Presbyterians, although I believe the number to be small, who adhere to the principle that there should be an Established Church; while some of the smaller bodies of Dissenters, such as the Original Secession Synod, counting, I understand, about 50 congregations, hold the same view. It is, therefore, impossible, with the information which we now possess, to arrive at anything like a definite opinion as to what are the views of the people of Scotland on this question. Sir, we have had no inquiry of a general character into the ecclesiastical state of Scotland since 1834, and I trust that I have said enough to show that since that time events of great importance have occurred, which render it necessary that there should be one now, in order to ascertain whether the people of Scotland have such a respect for an ancient Institution which has done good service in the past, and is still doing good work, as would lead them to desire its maintenance as a State Church in the future, or whether they believe that the time has come when that Institution, having fulfilled the great religious and educational purposes for which it was established, and having been the parent of other Churches which, in all essentials, are precisely the same as herself, no reason exists for continuing to her privileges which, from being exclusive, are a source of irritation to other Presbyterian Bodies. You may ask me how this is to be done? It is scarcely for me to answer, as part of the work of a Select Committee would naturally be to determine the best mode of getting such information. For myself, I should be satisfied if each elector should be allowed to put in the ballot box a voting paper "for" or "against" the Disestablishment of the Church of Scotland; and if the result should prove that the majority are in favour of Disestablishment, I have no hesitation in saying that, on Constitutional grounds, no Church can be called National to which a majority of the people are opposed; and, whatever may be my own feelings towards the Church of Scotland, I am bound to say that it ought to be disestablished, and the funds to which it has at present an exclusive right, should be devoted to some other National purpose. I sincerely trust that the Government will agree to my Resolution, and grant an Inquiry by a Select Committee; as I rest assured that till this question is settled, it will continue in the future, as it has done in the past, to create an amount of irritation and bitter feeling, which cannot but prove prejudicial to the highest interests of the people of Scotland. The hon. Member concluded by moving the Resolution of which he had given Notice.

MR. JAMES STEWART said, that he rose with great diffidence to second the Motion; and, in doing so, had need to ask hon. Members for that indulgence which usually extended to those who, for the first time, ventured to address the House. He hoped that the Government would be disposed to acquiesce in granting a Select Committee. All who were acquainted with ecclesiastical affairs in Scotland must be aware, and must, he thought, admit that they were in a high degree unsatisfactory. He need not remind the House that the Presbyterian form of worship and of Church government was in a literal sense national in Scotland. He supposed he was quite within bounds in saying that not less than 80 per cent of the entire population adhered to that form of worship and of Church government; but, unfortunately, circumstances had arisen which had broken up the Presbyterians of Scotland into three powerful Denominations. Thoughtful men in each of those Denominations, feeling how much they held, both in faith and in practice, in common, deplored the differences which kept them apart; and there had consequently arisen a widespread and deeply-rooted desire that some means might be devised by which the Presbyterians of Scotland might be united in one National Church. The Motion before the House, and the Amendment which had been placed after it, were evidences of that desire. He trusted that the House would give its assent to the inquiry, which would, no doubt, be conducted in an impartial spirit, and the evidence adduced would help to guide them to a right solution. He confessed that he shared in the very prevalent feeling of dislike to raise a discussion as to the relative position of the Churches in Scotland on account of the heat which such discussions were too apt to engender; but there could not be a doubt that for some years past that question had been assuming an increased importance in Scotland. He believed it would not admit of further postponement, and therefore he thought that before men's minds became inflamed with controversy as to what were, and what were not, facts, it was in a high degree desirable that some authoritative inquiry should take place to establish the facts, so that they might be able to form a right judgment on the whole matter. There was no doubt, he thought, that such an inquiry would necessarily embrace in its scope the question of Disestablishment; but he hoped that Churchmen on both sides of the House would not be deterred from granting an inquiry on that account. The answer to that question would have to depend upon three things—firstly, whether it could be shown that the large majority of the people of Scotland were outside the communion of the Established Church; secondly, supposing that to be shown, did the maintenance of the Established Church constitute an injustice to the majority; and, thirdly, did that majority desire to have the Church disestablished? Should it turn out that those questions must be answered in the affirmative, he thought that even Churchmen themselves would admit that the time would seem to have come for its Disestablishment. He did not think the liberal-minded portion of the Established Churchmen would consider Disestablishment an unmixed calamity, provided it brought about a prospect of a re-union of Presbyterians in one National Church. He could not but think that they would consider the advantages of union outweighed largely the disadvantages of Disestablishment. As a Scotchman, and knowing the loss which religion and morality suffered from the present condition of things, and from the weakness which was inseparable from disunion, he earnestly desired to see some means taken which would open the door for a union of Presbyterians. The Patronage Act of 1874 had that object, no doubt, in view; but, as his hon. Friend the Member for Paisley (Mr. W. Holms) had pointed out, it had utterly failed in accomplishing it. For himself, he was bound to say that, while he had not arrived at the opinion that the Established Church was in all cases and circumstances indefensible or unscriptural, yet he was convinced that the first step towards the desired end—namely, the union of Presbyterians, would be found to lie in the separation of Church and State in Scotland; for, so long as the union of Church and State was maintained, a barrier existed which must prevent union, except of the most fragmentary character—and for this reason, that the United Presbyterian Church was opposed to the principle of endowment of religion by the State, whilst the Free Church, though originally holding the Establishment theory, had discovered by her own experience that a Church could flourish independently of the State; and, accordingly, the vast majority of her people had now departed from that principle. He knew there were so-called Constitutionalists, who feared that if they touched the Church they touched the State; but no opinion, in his mind, could be more absurd. He believed there were no more loyal subjects than the Nonconformists of Scotland. There were strong distinctions in the connection which existed between the Church and State in England as compared with that in Scotland. He was not going to enter into these; but he would remind the House of one—namely, that whereas in England the Church recognized the Queen as its head, the Scotch Church did not do so, and never had done so; and, therefore, it was clear that by its constitution the Scotch Church was not by any means so intimately connected with the State as the Church of England. Some of the friends of the Established Church thought that she numbered amongst her adherents the majority of the people of Scotland. If that were so, he admitted that her position would be stronger than he took it to be; but it seemed to him that there was considerable evidence against that assertion. He did not suppose that people pretended that the congregations of the Established Church were larger as a rule than those of other Denominations. Well, then, he found there were 1,517 churches attached to the Free and United Presbyterian Churches, against 1,390 attached to the Established Church. And these last comprised about 300 Highland charges, most of them very meagrely attended. In regard to the money raised for religious purposes during the past year—which was not an unfair test of the vitality and power of Church organization—£965,000 had been contributed by Free and United Presbyterians, against £385,000 by the Established Church. If these were facts, then it seemed to him that the Established Church had not that hold upon the church-going population of Scotland which was asserted; and that there was, at all events, good ground for inquiry into the facts. If it be said that the present condition of things formed no injustice to those outside the Established Church, he could only reply that he could not understand how those who had given the question full consideration could hold that opinion. Here they had national funds set apart for the maintenance of religion, of a form which still continued to be the National form which by the action of the State—admitted now to have been blundering action—lay persons of the population were unable, unless by the sacrifice of what they held to be principle, to participate in the advantages to be derived from those funds. Was there no injustice in that? Then, again, it might be said that the union of the Presbyterians was a Utopian idea; but he had sufficient faith in the practical common sense of his countrymen to believe that if they removed this barrier, a re-union sooner or later must become inevitable. It was also objected that if they disendowed the Church, they would not know what to do with the funds; but in educational and other matters those funds, he maintained, could be applied in such a way that the whole population, and not one section of the community only, would benefit. He entertained no feeling of hostility towards the Established Church of Scotland. He acknowledged the important share she bore in carrying on the religious work of Scotland, and he did not wish to see her means of usefulness crippled or impaired. He believed the withdrawal of State funds would have no such effect. He believed, on the contrary, that it would have an opposite effect, and that it would develop within her bounds those potent resources which lay in the free-will offerings of her people, and upon which her sister Churches had with such conspicuous success relied. From this source, he found that during the space of the last 35 years, the Free Church had received for religious purposes no less a sum than £12,000,000, which was upwards of £340,000 per annum; and, as his hon. Friend the Member for Paisley had shown, the income had last year amounted to £565,000. They who belonged to that Church might be pardoned if they pointed to those results with some degree of pride. In his opinion, the withdrawal of all State funds, and the placing of the Established Church and of the Presbyterian Churches on one and the same footing, as regarded recognition by the State, was the only way in which they could hope to see the idea of a National Church in Scotland attained. No Church had a practical title to be styled national unless she comprised within her bounds the great majority of the people of the country. There was a time when there was a National Church of Scotland; but that National Church was now represented, not by one section, but by the three sections into which the Presbyterians were divided. He would not detain the House by entering in detail into the advantages which would accrue to Scotland by the removal of the obstacles which kept Presbyterians apart. He would only say, that if the Government assented to that inquiry, and were able to deal with that important question in such a way as to heal the unhappy divisions that existed, they would earn for themselves, and he was sure they would receive, the respect and gratitude of the people of Scotland.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the operation of the Patronage Act of 1874, and its effect upon the reciprocal relations of the various religious denominations in Scotland, and to ascertain how far the people of Scotland are in favour of maintaining the connection between Church and State in that Country."—(*Mr. William Holms.*)

MR. C. S. PARKER moved the following Amendment:—

"That a Select Committee be appointed to inquire into the present relations of the Established Church with the other Churches in Scotland, and with the people at large, and in particular to inquire how far the Church Patronage Act of 1874 has tended to remove the causes of disunion and dissatisfaction among the Presbyterians of Scotland, and what further legislation would most conduce to that end?"

He was sure that the House generally would respond to the wish expressed that the Government might be able, if not to accept any of the Motions before the House, at least to find some mode of dealing with the question which should promote the cause of Christian Union in Scotland. The House must have been favourably impressed by the tone and temper of the speeches to which they had listened—the one from a member of the Established Church in Scotland, the other from a member of one of the non-Established Churches. Those speeches represented fairly the prevailing tone of feeling in the country. It was true that the sense of injustice had caused a bitterness of language on the part of some agitators; but at the more solemn meetings of the Churches and in their formal resolutions would be found a presiding spirit of Christian mutual goodwill. Even those Churches which might seem to be pursuing an aggressive policy did so in the firm belief that they were promoting not only the Christian welfare of the nation, but the higher interests of the Church to which, for the time, they were opposed. His Amendment was in no way hostile to the Motion. With his hon. Friends (Mr. W. Holms and Mr. J. Stewart), he believed that there was a strong case for inquiry, and that it had been rendered more urgent by recent legislation. He further agreed in asking for a Select Committee. It was only when he came to the question, what should be the Instruction to the Committee? that he found a difficulty in accepting the Motion. But, before he proceeded to explain wherein his Instruction to the Committee would differ from that already proposed, he wished to speak in general support of the Motion for inquiry. The facts and statistics of the case had been so amply set forth by his hon. Friends, that it was unnecessary to weary the House by referring to them any further. But he was sure the House would feel that such magnificent displays of Christian liberality, life, and vigour throughout Scotland as were indicated by these figures were a matter of congratulation. The chief appeal that he would make to hon. Members who represented English and Irish constituencies was, that they would endeavour not to look at this question too much in the light of any supposed analogy with the case of their own country. He did not disguise from himself the fact that whatever general principles were involved in the Motion were applicable to the Church of England as well as to that of Scotland; but he believed there were few hon. Members who held those general principles in so abstract a form, that they were prepared to apply them in the same way irrespective of the very different circumstances of each country. There were, no doubt, some who felt so strongly in favour of the principle of Establishment that they would be indisposed to admit almost any case in which it would be right for Parliament to put an end to an existing National Establishment; while, on the other side, there were, perhaps, a greater number who took the exactly opposite view, and held that all State Churches were contrary to Scripture and to justice. But the majority of hon. Members on both sides would concede that they must look at the particular case presented by each country. What was broadly the state of things in Scotland as compared with the other parts of the United Kingdom? In Ireland, the Church till lately established by law was that of a small minority. The great bulk of the people were taught to regard it as teaching deadly heresy. They also associated it with foreign invasion, and regarded it as imposed by conquest and maintained by force. In England, the Established Religion being, in its origin, the religion of the Reformation, was at first accepted by all the country, and still might be regarded as in the main the religion of the large majority. But, even in doctrine, at the present day a considerable difference existed between the Church of England and Dissenters—a difference, perhaps, best manifested in the fact that the House, in its wisdom, thought it well to prohibit the Catechism either of the Church of England or of any other Denomination from being taught in the Board Schools. And, besides the difference in doctrine, there was a difference which struck the imagination more in the outward forms of worship; and, further, there was an important difference in the mode of government. In Scotland there were no such distinctions. Almost the whole population had one creed—the Westminster Confession. For the instruction of the young they had one Catechism, which, instead of dividing, united the Churches. The forms of worship were so much the same, that very few would be able to guess whether they were in one of the Established or non-Established Presbyterian Churches. The forms of government were also alike, and each Church took an equal pride in the glorious obstinacy of their common ancestors in the faith, in rejecting English Prelacy, and securing the government of the Church by Kirk Sessions, Presbyteries, Provincial Synods, and General Assemblies. Thus it would not be going too far to say that they had one National Church in Scotland, not to be confounded with the State Church. The State Church held the endowments, and was in special relation with the State. But the National Church in Scotland, as was well known in Europe, America, and the Colonies, was not the Established Church, nor the Free Church, nor the United Presbyterian, but all put together formed the true National Church of Scotland. The broad fact with which they had to deal was, that they must distinguish between the State Church and the National Church. But then came the question—what was the cause of divisions in the National Church, and how far did those divisions create bodies so separate from each other that it was necessary to regard them no longer as one, but as several? There was a good deal of confusion on this subject in the minds of some hon. Gentlemen who were not familiar with Scotland. It was often said that the causes of difference were microscopical and speculative. He must deny that such a statement was correct. As regarded doctrine, or government, or worship, there was no difference at all; but when they came to the question of the relation of the Church to the State, the difference was by no means microscopical. As to its being speculative, he did not know what question could well be more practical than the question, how much independence or self-government, or autonomy, as it was now called, the Church was to enjoy? The doctrine of Hooker and Arnold, that Church and State were one, was held, he should think, by very few indeed in Scotland. Nor did the theory find more favour that the State was to rule over the Church—a doctrine most associated in their minds with the name of a certain German doctor, and in their own days with the much respected Dean of Westminster, who had the courage, speaking in the Presbyterian capital, to declare himself an Erastian of the Erastians. But he would also venture to affirm that the extreme opposite view—as taught by Hildebrand and Cardinal Manning, the Ultramontane theory — that the Church should rule over the State in such things as the Church was pleased to regard as spiritual, was not largely represented. It was often said that such was the theory of the Free Church of Scotland; but anyone looking at the documents of that Church would find it strongly repudiated. What they did hold was a very different tenet — namely, that the jurisdictions of State and Church were co-ordinate, the State dealing with things temporal, the Church with things spiritual, and each deciding for itself what things were spiritual. This, indeed, was the doctrine of the Confession of Faith, held in common by all Presbyterians. But the two largest non-Established Churches held distinctive opinions. He would mention first the United Presbyterians, not as the more numerous body, but because they perhaps had the clearest and most defined doctrine as to the relations of Church and State. They held that State aid, as well as State control over the Church, was to be rejected as unsound and as unjust. Union between the Free Church and the United Presbyterians had as yet been found impracticable, even with an agreement in the following terms about the relation of the Church and State:—

> "That the civil magistrate, acting in his public capacity as a magistrate, ought to further the interests of the religion of the Lord Jesus Christ in every way consistent with its spirit and enactments."

These last words were a saving clause to the United Presbyterians, because they were prepared to say that an Established Church was not consistent with its spirit and enactments. But they agreed that the civil magistrate should be ruled by the Christian religion in the making of laws, the administration of justice, and other matters. As to the Free Church, they had, last month, declared afresh their adherence to the Claim of Right, which was a claim to be considered the true Church of Christ in Scotland; and, as such, to be entitled, under the old Constitution, to all the rights and privileges of an Established Church. These they resigned only when they found they could not be held consistently with maintaining their spiritual independence. One of the few points on which he must differ from the hon. Member who proposed the Motion (Mr. W. Holms) was as to the cause of the Disruption. No doubt, the hon. Member was right in saying that patronage was the occasion of the Disruption, and that had these questions not arisen, or had the Government and Parliament, when they did arise, dealt with them wisely, there would have been no Disruption. But the Free Church, he was convinced, would not think they were properly represented, if the cause of the Disruption were admitted to be patronage. When that was asserted, they always contradicted it. Patronage was the chief occasion; but, in the conflict between the Civil Courts and the Church Courts, another class of questions arose —namely, as to the right to constitute parishes, and to give to the new parish ministers votes in the Presbyteries and Assembly. And, in the collision between the Civil and Ecclesiastical Courts, came out the deeper question of spiritual independence. He did not agree with the opinion of some hon. Members, that spiritual independence was unintelligible. What it meant was this—that while the then Church of Scotland were willing that all questions concerning their endowments, and all civil consequences should be regulated by the Civil Courts, they protested against interference by the Civil Courts in such questions as ordination or deposition of ministers. He now came to the question, whether it was true that the case for inquiry had been made more urgent by recent legislation? He should not use any of the language, so often heard, about the Patronage Act as being of an aggressive nature, or as having been meant to steal a march in any way upon the Free Church, or to filch its members from it one by one. At the same time, he did consider that a mistake was made in the mode of bringing forward that Act. When Dr. Norman Macleod, as Moderator of the Established Church, first came to ask for the abolition of patronage, he (Mr. Parker) was one of those who went with him to the right hon. Member for Greenwich, then Prime Minister, who replied to this effect—

> "What seems to be most important is, that if you are to make a change of this kind, you must reckon with the Free Church of Scotland. You must remember that Patronage was the occasion of driving the Free Church out."

This being so, it was an unfortunate mistake that, when the Patronage Act was brought forward, there was no attempt made to negotiate with the Free Church. A right thing was done in the wrong way. He laid some of the blame upon the Free Church, for he did not think their attitude at the time, or since, was very encouraging. The Established Church, however, was making approaches to the Free Church now, and had received a courteous answer, and he did not see why proposals for re-union should not have been made then. It was unhappily forgotten that the State Church, was only one section of the greater National Church, and the matter was argued, by some of the ministers who assisted in passing the Act, as if it were a question affecting the Established Church alone. He was glad to say that the Lord Advocate of the day, (Lord Gordon), took a different line. He said—

> "I believe it to be essential to get Patronage out of the way in order to effect a union with the other Churches. I believe this Bill will afford a basis of union between parties who are so much at one in doctrine and government, and I think it would be of the utmost advantage to the entire Church of Scotland;"

meaning thereby, not the State Church, but the National Church. But, in order to effect any such union, it was necessary to negotiate, not with individual members, but with the Governing Bodies of other Churches. His right hon. Friend the Member for Montrose (Mr. Baxter) at that time proposed a Committee of Inquiry. Unfortunately, that was regarded by the House merely as a counter-move against the Bill, and, in consequence, it was not entertained. The other Churches were refused a hearing, and the opportunity of consideration was lost. The question now was, whether an inquiry by a Select Committee was not still the best mode of proceeding? What were the alternatives? There was one which his hon. and gallant Friend the Member for East Aberdeenshire (Sir Alexander Gordon) would probably bring before the House—namely, a Royal Commission, which might have some advantages. But he feared that in Scotland, where Liberalism was still somewhat rampant, there would be much distrust of a Commission appointed by a Conservative Government, and that distrust would counterbalance all the advantages. There was another alternative—an admirable one at times—that of letting things alone. That might have two issues. The Gentlemen most anxious for Disestablishment were also most desirous of having the matter let alone just now, because they believed that the pear was ripening fast. An inquiry, which might issue in a Report favourable to the Established Church, would interfere, they thought, with the wholesome development of opinion going on in Scotland; whereas, if things were let alone, the Free Church and the United Presbyterian Church would employ their influence at the Elections, and return Members to vote for Disestablishment. But, whether that would effect Disestablishment or not depended upon what the English majority would do. A third more hopeful alternative was offered, by the fact that the Churches were approaching each other in a friendly manner. This might lead to some good result; but Churches could hardly solve the question without the aid of Parliament, because the point upon which all must turn was, whether Parliament at the present time was disposed to grant that amount of spiritual independence with which the Free Church would consent to become an Established Church again? It was only fair to say that not many Free Churchmen now regarded this as practicable; the majority of the last General Assembly had committed themselves to the contrary opinion. It therefore appeared to him that there was most advantage in referring this question to a Select Committee, partly as a means of opening communication with Parliament; but also because it would bring together the leaders of these Churches before an impartial and friendly tribunal. In a few words he would explain his reasons for moving the Amendment. He thought that the Instruction proposed by the hon. Member for Paisley (Mr. W. Holms) would be found inconvenient by a Committee. The inquiry into the general effects of the Patronage Act was wider than need be; while, on the other hand, to inquire into the reciprocal relations of the various religious Denominations in Scotland only so far as affected by that Act, was too narrow; and, thirdly, as to the direction to ascertain how far the people of Scotland were in favour of maintaining the connection between Church and State in that country—that was a matter upon which information might be gained without the assistance of a Committee upstairs. Therefore, he moved that a more general inquiry should be made into the present relations between the Established Church and the other Churches and the people at large. He objected to the proposal of his hon. Friend to send round ballot-boxes, and wished rather that light should be thrown upon questions of principle. He wished, in fact, that the Committee should try to ascertain what form of national recognition of religion would be most suitable at the present day for Scotland. In conclusion, while thanking the House for their kind attention, he would remind them that the opportunity, neglected now, might not return. Private Members had done their humble part in bringing the question forward, and now, among the Leaders on one side or the other, he hoped there might be found more than one to earn the poet's praise, as statesmen—

> "Who knew the seasons when to take
> Occasion by the hand, and make
> The bounds of freedom wider yet."

[The Amendment, not being seconded, could not be put.]

Mr. DALRYMPLE joined with his hon. Friend who had just sat down in commending the tone of moderation in the speeches with which the debate began. But he confessed that he was somewhat at a loss to understand the position of hon. Gentlemen opposite in regard to this question. They had had three speeches already. The hon. Member for Paisley (Mr. W. Holms) spoke as a member of the Established Church, and as one who was friendly to it; but he procured a Seconder to the Motion in the person of the hon. Member for Greenock (Mr. J. Stewart), who had avowed himself an out-and-out promoter of Disestablishment. The hon. Member for Paisley had spoken of the keen interest with which the people of Scotland regarded the question; but what had taken place? The hon. Member for the Stirling Burghs (Mr. Campbell-Bannerman) at 7 o'clock suggested that the House at its Evening Sitting, instead of dealing with this question, on which the hearts of the people of Scotland were set, should proceed with the discussion of the great Imperial topic—the abolition of causeway-mail. More than that, he noticed that the Previous Question was to be moved from the other side of the House. That was not a bad idea, he owned, though he did not like the quarter from which it came. With regard to the speech of his hon. Friend the Member for Perth (Mr. C. S. Parker), it pointed to what the hon. Gentleman had himself called the admirable alternative of leaving things alone. The speech was characterized by much learning; but it was a question whether that had been the proper time for introducing many of the topics which had been raised. He really did not know the course which the debate would take; but he considered that the House should decide whether or not a *primâ facie* case had been made out for inquiry. If such a case had not been made out, then it was a serious matter to demand an inquiry. He was of opinion that no Committee should be granted unless a case had been shown to exist. His contention was, that the promoters of the Motion had not got a case; but, on the other hand, wanted the Committee to get one up, and it would not be according to the customs of the House to appoint a Committee, unless a clear case had been made out. They were indebted to several of the Motions upon the Paper in reference to Church Disestablishment to the visit to Scotland of the noble Lord the Member for the Radnor Boroughs (the Marquess of Hartington). The other day, he (Mr. Dalrymple) was much amused at a speech made at a meeting of the Liberation Society by a Mr. Carvell Williams in reference to that visit. He remarked that the visit of the noble Lord had developed a remarkable amount of latent sympathy with the movement; that the noble Lord had probably been cautioned as to the subject of Disestablishment, but he had said as much as could have been expected from a gentleman in his position, whatever that might mean. The noble Lord had spoken of the abolition of patronage as a step towards Disestablishment, because it weakened the connection of the State with the Church. He had no doubt that that sentiment would be very popular in certain quarters, among those who grudged the Church her liberty, and with some landlords who had lost their patronage. He wanted to know why, when the noble Lord spoke in Scotland, he was not told a little more of the truth about patronage? Why was he not told that patronage was no essential part of the Established Church. He wanted to know whether its abolition was not the *ne plus ultra* of what was asked in 1842? Patronage might not have been the sole cause of Disruption; but if it had been abolished formerly, would it not have prevented Disruption? The noble Lord, in Scotland, said he was not going to say anything about Disestablishment in England; but, as the Secretary of State for India said in Edinburgh in December, when there was a burning in Scotland there would be a vast amount of scorching in England. The noble Lord had said that he hoped that this would not be made a test question; and, further, that he would not be a party to stimulating agitation, though he would not repress discussion. That sort of declaration was most cruel to one set of persons—namely, wire-pullers. To them it meant positive starvation. As to repressing agitation, to many who heard the noble Lord it must have been like proposing to forbid them to draw breath, it being as natural to them to do the one thing as the other. It would appear that the subject had already been made a test at Elections, and some hon. Members had fallen into trouble over it. The hon. Member for Paisley (Mr. W. Holms) was perplexed at the questions put to him by his constituents, and he (Mr. Dalrymple) suspected that his Motion to-night was made to escape from his troublesome constituents. He did not blame hon. Members for bringing the matter before the House, as he believed the more the Church was attacked the firmer hold it would have in the hearts of the people. But he wanted to know who desired the inquiry asked for? They had heard that the hon. Member for Paisley and the hon. Member for Greenock wanted it. The latter Gentleman was prepared for Disestablishment, and had seen his way to the apportionment of the funds of the Church, though he did not say whether they were to be devoted to religious or secular education. Did the Free Church of Scotland want the inquiry? They knew that the Free Church had petitioned the House in the matter, and repudiated the notion of overturning the Establishment. Did the United Presbyterian Church ask for an inquiry? By resolutions which they had passed, he thought not, as those resolutions expressed the opinion that the Motions brought forward to-night were unworthy of earnest legislation. And what did Dr. Hutton say? The House did not know Dr. Hutton. But the hon. Member for Paisley did, as he was one of his constituents. Dr. Hutton said the Dissenters would be more simple than usual if they surrendered their right to have the question settled by the usual constitutional methods, or if they were willing to accept the result of any tentative inquiry before such tribunals as were proposed, or the evasive confusion and delay of preparing Blue Books, which altered nothing and could add nothing to their knowledge either of the principle or facts of the case. Dr. Hutton said the Free Church was ready armed for war, and by hand and voice was prepared to do battle against the Erastianism of the Establishment. One more authority he would quote, and for a particular reason —Dr. Adam, who had particular knowledge of what were called the "Constitutionalists." The "Constitutionalists" were a small minority in the Free Church who maintained the principles of 1843, and who were against Disestablishment. Dr. Adam was very severe upon them because they had had an interview with the very source and centre of all Erastian evil—he meant the right hon. and learned Lord Advocate. That was an unpardonable offence. He wanted to know what other course they could have followed than having an interview with the Lord Advocate, if something like an approach was to be made towards the Established Church? But there was one other Body that had not been mentioned—namely, the Established Church herself. The position of the Established Church in reference to inquiry was simply this. It was not afraid of inquiry in any way. It in no way asked for it, or refused it. It only wished to watch the proceedings. It occupied the dignified position of making no complaint, or in any way deprecating the inquiry which was asked for. He might, however, say one word on the kind of matter shadowed forth as the subject of these inquiries. The hon. Member for Perth wished to inquire into the working of the Patronage Act, and wanted to know whether it had had an effect which those who had anything to do with the passing of the Act never supposed it would have—namely, the settlement of religious differences in Scotland? That was not the motive with which it was passed. It was hoped that would be one result. There were those who said the desire was to draw off adherents from other bodies, though he had never been able to ascertain how that was to be done. If that were the object, it had succeeded in a very small degree; but, not being conscious of any such motive, he felt no disappointment. The main object of passing the Act was to free the Church of Scotland from something which was not natural to it, and from which it had long wished to be free. He maintained that the time had not come for inquiry into the working of the Patronage Act. Inquiry only took place when the incumbents died, and the mortality among incumbents had not been greater since the Act passed. Occasionally there had been scandals in connection with the election of a minister, since the Act passed; but there were scandals in connection with the elections of ministers elsewhere than in Scotland. It could not, therefore, be said that these were due to the Patronage Act. That Act had created great satisfaction among the people of Scotland, and they were thankful to the Government that had courage to deal with the question. As to the proposal of the hon. Member for Paisley, that the opinion of the people of Scotland for or against an Established Church should be taken by ballot, he was sure no such project would be sanctioned by the House. Notwithstanding the remarks of the Seconder of the Resolution, he could not admit that the question of Disestablishment was before the House. It had not yet come to that, although there were some in the House who desired it as a consummation to be arrived at. He was content to leave the defence of the Established Church to some future time, and he believed there would be many defenders in the House, and those not confined to one side of it. The position of the Church of Scotland at present was deserving of admiration. The address of Principal Tulloch at the close of the recent General Assembly was not only high in its tone and characteristically liberal, but it was essentially unlike the address of on ordinary ecclesiastic. Principal Tulloch was not only content to claim sympathy and support for his own Church, but he used expressions of kindness and charity for other bodies, and admiration for their work and their vitality. A time might come when the political exigencies of Party might hasten on the question of Disestablishment. It was possible that the position of other Denominations was becoming more and more untenable on account of the very liberty which the Church of Scotland enjoyed, and that might lead them to desire her overthrow. It was possible that the very vigour and life which were in the Established Church might make others feel that it was now or never if she was to be overthrown. But he felt assured that they would not be able to procure Disestablishment on any reasonable grounds with regard to the state of the Church, because it was engaged in quiet yet active and faithful work, was in no sense aggressive, and was holding out the right hand of friendship to the other religious Bodies in Scotland who were separated from it. It might be said of the Church of Scotland as it had been said of the Church of England—

> "Yea, she hath mighty witnesses, and though
> Her deeds of good have had their ebb and flow;
> She yet awaits in calm and faith sublime
> The righteous judgment of all after time."

SIR ALEXANDER GORDON, in rising to move, as an Amendment to Mr. Holms's Motion—

> "That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to appoint a Commission to inquire into the causes which keep asunder the Presbyterians of Scotland, with a view to the removal of any impediments which may exist to their re-union in a National Church as established at the Reformation, and ratified by the Resolution Settlement and the Act of Union,"

said, his object in moving it was because he thought a Royal Commission would be a far better mode of inquiry into the state of Ecclesiastical matters in Scotland than a Select Committee of that House. What he wanted to gain by such an inquiry was that an end might be obtained, by the best means available, of the unfortunate differences existing in Scotland among the three Presbyterian Bodies, all professing to have the same object in view—the upholding of the Protestant religion as adopted at the Reformation, and agreeing upon all those difficult questions which had their origin in an unknown world—differing only in the more trivial subjects, those of the government of the Church, payment of ministers, and things of that character. The observations which he wished to address to the House were intended to impress the House with the trivial nature of the differences which existed in the Churches of Scotland, and with the conviction that those differences might be removed if the question were gone into with a sincere desire to promote that object. In support of that view, he would refer to the testimony of Dr. Welsh, and others, who had treated upon the question. From these he derived the impression that Disestablishment was not wanted for its own sake, but as leverage for the Disestablishment of the Church of England. The case of America, he might add, was often alluded to as affording an illustration of the way in which religion might exist in a State in which there was no Established Church. The word "religion" it was true, was ignored in the American Constitution; but he found that in Congress at Washington they always had a chaplain to read prayers, and he was curious to know, as they had no national religion, how it was they arranged the question of having a chaplain? The Secretary of Congress had told him that they asked every minister of religion in turn to come and open Congress; and when he asked him if there were no limit to that, the reply was that there was no limit, and that on one occasion the Senate had been opened by a Jewish Rabbi. Neither in this country, nor in Scotland, would they be prepared for that. The truth was, that with them the Disestablishment of the Church meant the ignoring of all religion; and the question that ultimately would be asked when this matter came up, was—Should Great Britain be Protestant or not? Should Great Britain have a Protestant Sovereign or not? If they disestablished religion, they had no standard by which they could judge whether the Sovereign were Protestant or not. He should like to quote the remarks of the noble Marquess (the Marquess of Hartington), who did Scotland the honour to go there last year, and, he was bound to say, had created a good deal of the excitement which now existed on this subject. The noble Marquess said that what struck him, a stranger in the matter, was that, where there was so much agreement, and so much co-operation, there should be so much real rivalry, and where the exertions of one Church had only been equalled or surpassed by the self-sacrifice of the others, there should be so much rivalry existing; and he claimed for the Liberal Party sympathy with all the Presbyterian Churches. He thanked the noble Marquess for those words. The well-wishers of the country agreed with the noble Marquess, that there ought to be, and might be, some way of remedying that state of things; and he hoped the House would give its assistance in the inquiry which they wished to have. It was, however, impossible to deny that the speeches of the noble Marquess at Edinburgh and Glasgow had given great encouragement to the Liberation Societies of Scotland; but the noble Marquess probably had not known that their real designs were against the Church of England. He (Sir Alexander Gordon) could not but regret that, when the noble Marquess went to Scotland, he had not consulted two distinguished Members, who could have given him good advice on the subject—namely, Lord Moncreiff, who was Lord Advocate some time ago in the late Government, and the present Moderator of the Church of Scotland, Principal Tulloch, who entertained very strong views against the Disestablishment, or rather, the disendowment, of the Church of Scotland. If he had done so, he would have found that the Free Church always spoke of the necessity of Establishment, and only said that the Church, as now established, was what they wished to be rid of. They asked for the Disestablishment of the existing Church, in order that another might be established in the future. It was clear, from the statement of Dr. Welsh, that the exercise of patronage had been attended with great injury to religion, and was the chief source of Dissent in Scotland, and the main cause of the difficulties in which the Church was involved. Petitions had been presented that day from the Free Church of Scotland to the effect that, whilst desirous of preserving the ancient securities of the Church, the petitioners did not regard the maintenance of ecclesiastical establishments as the appropriate means of fulfilling those obligations, and prayed the House to consider the matter and adopt measures for bringing the differences which existed to as early a termination as possible. That was precisely what he wished. He wished the House to take the subject into their consideration, either by a Select Committee or by a Royal Commission. He would prefer a Royal Commission, because he thought a Royal Commission would be better qualified to consider the matter. The hon. Member for Bute (Mr. Dalrymple) had not put, in as strong language as he might, that patronage was the cause of the Dissent which existed in Scotland, and was the main cause of the difficulty in which the Church was at present involved. The Free Church now came complaining that the Government had removed patronage, and that proved how little they had to build a grievance upon. The fact was, there was a conflicting interest between the urban and the rural districts upon this question. It was well known to those who had gone into the question, that the United Presbyterian Church had its strength in the large cities and the populous towns, and not in the country places, and the chief opposition to the Established Church came from that Body. In their Report for 1877, the United Presbyterians said that an increase of Church membership could be looked for only in the great centres of population, and that the work of the Church should be prosecuted there. Surely, it was hard that they who said they could not extend their operations to the rural districts, should be so keen to take away from those districts that which they now had? That was what the people of the rural and the highland districts deeply felt. It was quite natural that the United Presbyterians should flourish more than the Established Church in a financial point of view, because they only took those who were able to pay. One of the questions put to applicants for admission to their Churches was—"Do you promise to contribute, according to your ability, for the support and extension of the Gospel?" That was the fact, and no doubt it was a good and right thing so to contribute; but was that to be made a condition to admission to a Church? The Established Church invited the people to go to it without stipulating for their money. True, the Highlanders in many cases did not use the Established Church; but they were, nevertheless, unwilling to give up the principle of an Establishment. They were proud, and did not desire to depend on Glasgow and Edinburgh for their religious ordinances. At the present time more than half the funds for the support of the Free Church and the United Presbyterian Church came from Edinburgh and Glasgow, and the Highlanders saw that if the endowments of the Church were taken away, they would be left at the mercy of the people of those large cities. Both the United Presbyterian Church and the Free Church petitioned Parliament for the Disestablishment of the Church of England also; but they objected to any inquiry, and said that the repeal of one Act—the Act of Union of England and Scotland—would be quite sufficient to disestablish those Churches. He thought, however, that Parliament would not repeal that Act without inquiry. The only point of difference between the Free Church and the Established Churches in Scotland was the question of spiritual independence, and that question simply amounted to this—that the Ecclesiastical Law should be superior to the Civil Law, and that the Courts of the Church should decide what was and what was not an ecclesiastical subject. ["No, no!"] Perhaps the hon. Member who said "No," would tell the House what spiritual independence really was. The leading men of the Free Church said—"Our position here in Scotland is absolutely ridiculous. We are standing looking at one another and wondering how in the world we got into this position, and wondering how in the world we can get out of it." That was his own description of his own Church. The result of their deliberations appeared to be a desire to pull down the Established Church to their own level, and, when it was down, to try to build up another. He would not detain the House much longer; but he wished to correct one error. The leading journal had said that a large number of ministers had left the Established Church rather than admit the claim of a lay patron. But the fact was, that the law only required the Presbytery to receive and examine a nominee as to his fitness. But the law left the Presbytery at perfect liberty to reject a nominee, if, after examination, they found him unfit. There never was a claim on the part of the law to force a minister on a congregation without regard to his fitness. He trusted that, under the whole circumstances of the case, Her Majesty's Government would feel it to be their duty to institute an inquiry by Royal Commission, with the view of ascertaining clearly what were the points of difference which kept asunder the Presbyterians of Scotland. He held it to be the duty of Her Majesty's Government to look after the interests of Her Majesty's subjects; and as that was a subject which the Scotch people had very much at heart, he thought it was the duty of the Government to take up the matter and institute an inquiry. The hon. and gallant Member concluded by moving the Amendment of which he had given Notice.

MR. ORR-EWING seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to appoint a Commission to inquire into the causes which keep asunder the Presbyterians of Scotland, with a view to the removal of any impediments which may exist to their re-union in a National Church, as established at the Reformation, and ratified by the Revolution Settlement and the Act of Union,"—(*Sir Alexander Gordon*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BAXTER: Sir, it is not my intention at this late hour—a quarter to 12—to inflict a long speech upon the House, and certainly I will not follow the example of those who have preceded me, by expatiating upon the ecclesiastical history of Scotland, or dilating upon the doctrine of spiritual independence. My object is in a few, plain, practical sentences, to lay before the House my views of the ecclesiastical situation in Scotland. From what has taken place, both in this House and out of it, it must be evident to everyone that the ecclesiastical relations of the State in Scotland are not in a satisfactory condition, and must sooner or later be revised by the Imperial Parliament. Every Session we have Bills brought in to remedy minor grievances more or less pressing, at every Election candidates are questioned in regard to their views on the subject; and now we are asked to institute a general inquiry respecting the facts of the case and the wishes of the people. The last time the matter was discussed in this House was in July, 1874, when the Government brought forward a Bill for the abolition of patronage, in the vain hope that it would bring about union and strengthen the Established Church. Believing that this expectation would prove a mere delusion, I met it by an Amendment on the second reading, recommending inquiry; because I was convinced that any fair tribunal must come to the conclusion that such a measure would prove utterly futile, and certainly not effect the purpose in view. The hon. Member for Bute (Mr. Dalrymple) has stated that it was no part of the object of the promoters of the Bill of 1874 to bring back other Bodies into the Establishment. I am amazed at his forgetfulness of the debate which took place on the second reading of that Bill. It is very curious and instructive to read the speeches which were delivered on that occasion. The right hon. and learned Lord Advocate lauded the Bill as a basis of reconciliation between the Churches, and seemed to have no doubt that it would bring about union and harmony. Everyone who spoke on the same side indulged in this pleasing hallucination, excepting the hon. and gallant Member for South Ayrshire (Colonel Alexander), who was not so easily taken in, and expressed more than doubts as to the efficacy of the healing measure. In moving the Amendment, I stated my firm belief that the Bill, if passed, would throw the great body of the Free Church into the arms of the Liberation Society, and I quoted the remark of a Conservative statesman, to the effect that he could not comprehend why the Dissenters did not hail with joy a proposal which, in his opinion, was a long step towards Disestablishment. Now, who that is conversant with what has taken place since can hesitate for a moment in deciding who were the true prophets. Confessedly, the measure has been a great failure. The people that in consequence of it have gone over to the Established Church are so few in number, and their history is so peculiar, that they are not worth mentioning. The great leading unendowed Denominations, with singular emphasis and unanimity, have repudiated the idea of returning to the Establishment, and the advocates of separation between Church and State have received such an accession of numbers and strength as to render the adoption of their views an ultimate certainty. My hon. Friend the Member for Glasgow said, in the debate of 1874, "that a Bill undertaken for the purpose of dishing the Dissenters would land the country in Disestablishment." He was right; that is now a mere question of time. Those whose fond hopes have been crushed by the consequences of the Act of that year, should not have forgotten the wise saying of Sir Robert Peel—"Whatever you do regarding an Established Church, don't legislate." Now, Sir, I am not one of those who think that the Establishment of the Church of Scotland is a crying evil, or that its Disestablishment ought to be made a test question at Elections. A man may be a very good Liberal, and yet fail to see that such a measure is called for, at all events, for the present. It must be kept in mind that there is no social grievance in Scotland as in England to redress; the landed proprietors and the gentry belong not to the Church established by law, but to a body of Episcopalian Dissenters, and adherence to the Church confers no social superiority of any kind; in fact, a large number of the upper classes belong to the Free Church. Then the revenues of the Establishment are small; there are no rich livings and no sinecures. The great body of the clergy do their duty faithfully and well, and a new school has arisen amongst them, and, I believe, is rapidly increasing, distinguished by a breadth of thought and a liberality of sentiment which are worthy of the grand history and traditions of their ancient Church. It gives me sincere pleasure to bear this testimony; but I can go farther, and point to better evidence than mere words. Most of the noble Lords and hon. Gentlemen who, in both Houses of Parliament, laud the Church of Scotland and oppose its Disestablishment, never enter the doors of its Churches. Many of them regard it as no Church at all, and they would advocate its separation from the State to-morrow, did they not imagine that in some way or other it served as a buttress to the Church to England. I entertain no such feeling. I have the highest respect for the Church of Scotland, its services, and its ministers. I attend my parish church when at home; and, in my opinion, it is a great misfortune, if not a danger, that the bulk of the proprietors in Scotland do not worship with the people. With these feelings and sentiments, I utterly repudiate any desire to injure the Established Church, and I regard the ecclesiastical situation in Scotland from an absolutely impartial position; but I cannot shut my eyes to the fact that the Church is now in a minority, and that there is not the slightest chance of any of the other Demominations rejoining it. It may have two-fifths of the community, or it may have one-third, but it has not a majority; and when I consider that the unendowed sects have more than 2,000 congregations, that they are raising vast and increasing sums for religious purposes, and that between the three great Presbyterian Churches in Scotland there is little or no difference either in creed or practice, I cannot defend the endowment of one of them alone. The necessity for such endowment can only be defended on the assumption that the voluntary principle could not be trusted to supply adequately the religious wants of the community in large, increasing towns, or in poor and sparsely-peopled country districts. Now, it is no disparagement to the Church to say that the other Denominations have been even more active in building places of worship to meet the wants of great towns; and sceptical indeed must be the mind of anyone who, after the experience of the last 30 years, could for a moment doubt that State assistance is not required to provide an ample number of churches in the great centres of commercial and manufacturing industries. The case of the purely country parishes is still more conclusive against the maintenance of State endowment. Not only is the Established Church in a minority in Scotland as a whole, but there are entire districts in the Highlands where the people *en masse* have left her communion and entire counties where her adherents are so few as to make State provision ridiculous. In these very poor parts of the country where you, from a theoretical point of view, profess it to be necessary, the people are of a very different opinion. They have provided and they sustain their own churches; the Act of 1874 has utterly failed to bribe them back into the Establishment fold, and if they can do without your aid, much more can the wealthier and more thickly-populated parts of Scotland dispense with it. I will not trouble the House with statistics; but, perhaps, in order to show the absurd state of things prevailing in the Highlands, I may be permitted to give the attendance on Sunday, 8th April, 1877, in two Presbyteries and in two counties at the Established and Free Churches; leaving out of view United Presbyterians, Episcopalians, Roman Catholics, and other Bodies. In the Presbytery of Tain, 429 people attended the Established Church, 6,115 the Free Church. In the Presbytery of Loch Carron, 261 people attended the former, 3,210 the latter. In the county of Caithness, 1,477 attended the Established Church, and 9,306 the Free Church; in the county of Sutherland the numbers were 517 to 6,480. What I want to impress upon the House is, that no change whatever in the sense intended by the promoters of the Patronage Act of 1874 has taken place in the ecclesiastical situation in Scotland. On the contrary, the Free Church, by overwhelming and increasing majorities, has pronounced in favour of Disestablishment; the United Presbyterian Synod has issued an emphatic protest against all State Churches; and recent Elections in Scotland have rendered it evident that the time for inquiry has passed, and that that for action is close at hand. Let English and Irish Members keep in mind that £22,000 a-year is paid out of the Consolidated Fund for parishes in the Highlands; that 42 clergymen in these districts have their salaries entirely paid out of that Fund; that, in the great majority of the 42 parishes, there are very few adherents of the Established Church, and in some of them not a single soul. Great stress has been laid in certain quarters upon the necessity of an actual union of all the Presbyterian Churches in Scotland, which are really united both in doctrine and in form of government. To expect the Free Church and United Presbyterians to go back to the Establishment is a mere chimera—

a vain and foolish delusion which the Legislature had better set aside at once. That union has already been effected in England, in the United States, in Canada, in South Africa, in Australia, and in New Zealand, and it can only be effected in Scotland after the same fashion—that is, on the basis of freedom and disconnection with the State. I do not profess to be very keen in the matter, because the evil is not a crying one, and the injustice is small in comparison with that in England; but I have no doubt that in a few years the national endowment at present bestowed upon one of the sects in Scotland must be withdrawn. [*Laughter from the Ministerial Benches.*] Oh, yes, hon. Gentlemen may laugh; they laughed a few years ago when it was proposed to disestablish the Church in Ireland, and I have been long enough in this House to remember many, many proposals which they at one time laughed at, but which are now embodied in the Statute Book. The question will then be what is to be done with the money? It does not belong to the landed proprietors who succeeded to or bought their estates with this burden upon them, and probably Scotland would grumble if it were simply paid into the Exchequer as belonging to the nation, which, undoubtedly, it does. Possibly, the best arrangement would be to let it go in aid of the school rate, which, although very useful, is in some cases very heavy, and which is levied upon all, and benefits all classes of the community. Some such change as this I look upon as inevitable, and I have reason to know that some of the most thoughtful and far-seeing minds in the Church of Scotland are coming gradually to that conclusion. I am not anxious to hurry on the consummation, and do not despair of seeing it brought about by-and-by without bitterness or bad feeling, and in such a manner as will prove once more what an example Scotland can set to the world in the matter of religious vitality and power.

THE LORD ADVOCATE said, it would be vain to disguise the fact, that upon ecclesiastical questions there was great variety of opinion among Ecclesiastical Bodies in Scotland, and even among individual members of those Bodies. At the same time, it was a matter upon which he could congratulate his country and the House, that upon all essentials of faith and doctrine, upon all questions of form and ceremonial, the Churches were substantially at one. They were better still. They were as brethren in this, that they all mingled one with another and recognized that they stood upon the same common religious ground. He quite admitted, when they turned from that position, that there were great differences between them; and he could only hope that in any further discussion of these important matters, there might be shown the same fairness and moderation as that observed by hon. Gentlemen that evening on both sides of the House. From the very earliest period of the history of the Church of Scotland there had been a great deal of uneasiness, a great deal of distrust, a great deal of jealousy of the interference of the State. The complaint of the Church from the outset had been that her position and constitution had been invaded and encroached upon by the Legislature and the Courts of the country, and that she had been deprived of her right of electing her ministers, and also of other constitutional rights, such as those of appointing clergymen, of ordaining ministers, and of instituting cures. It was not only patronage that led to the Disruption in 1843; but much deeper issues were involved than those arising out of the Act of 1711—such, for instance, as the independence of the Church. He did not wish to refer to controversial matter; but it was right to keep in view that the Free Church made it the very head and front of her protest that she was the Church established by law upon the basis of the Revolution Settlement; and that, as a consequence, she was entitled to exercise all the rights and privileges which the Church possessed in virtue of that Settlement, but of which she had been wrongfully deprived in the interval. Accordingly, when the Free Church claimed the position of the original Church of Scotland, she claimed among the rights and privileges given to that Church by law, the privilege to choose her own ministers, to institute her own cures. Although the Courts of Law held that these claims were not according to the Constitution, as by them interpreted, they had never been abandoned by the Free Church; or, at least, by many within her pale. He did not wish to enter into the merits of this question, or to refer to the question of Disestablishment, because that would be quite beyond the limits he had set himself; but he might say, that beyond the pale of the Church of Scotland there were those who maintained the principle of an Establishment. There were certainly differences among those outside upon these questions. While many maintained the purely voluntary principle, and contended that there should be no relations between Church and State, there were also many, who, though they did not belong to the Established Church, still held as a fundamental principle of their faith that the State ought—though, perhaps, not in the form of the present Establishment — directly to recognize religion; and who also were of opinion, rightly or wrongly, that the emoluments, and the scanty funds of the Church should not be diverted from the purpose to which they were at present applied, but should be used for no other purpose than the teaching of religion. As to the observations that fell from the right hon. Gentleman the Member for the Montrose Burghs (Mr. Baxter), although a great proportion of those who lived in the Highlands did not attend the Established Church, he ventured to challenge the right hon. Gentleman with this fact—that those were the very parts of Scotland, and those were the very persons who most strongly maintained the principle of an Established Church, and were most thoroughly averse from a single penny of these funds being diverted to any other purpose. These could not be referred to, therefore, as instances of a desire for Disestablishment. They wished to have the benefits of the funds for the religious teaching of themselves and their families; but they would not take them unless certain restrictions interfering with their religious convictions were removed. If they could have them as they were originally established, they would have no objection to derive any benefit from them. They would infinitely prefer that to any application of the fund to the augmentation of the school rate, which they objected to as an attempt to relieve the laird at the expense of the poorer population. As to the position of the Government, he frankly confessed that the arguments and views of the hon. Members who had supported the Motion either went a great deal beyond or failed to support the proposals for inquiry they had made. The Motion was limited to two points—it asked for a Select Committee to inquire into the Act of 1874, and also to ascertain the feeling of the people of Scotland. He was not very well versed in the Business of the House; but he was surprised to have a Committee asked for to conduct an inquiry in order to ascertain the public opinion of Scotland. It was an unconstitutional, and not an expedient mode of ascertaining that opinion. On the other hand, he thought it was premature and unnecessary to inquire into the Act of 1874. He contended that the Act was working satisfactorily, and had removed the sore of patronage which existed before; but, of course, the change did not get rid of all sources of unpleasantness, just as there were no circumstances in which there would never be disputes in Dissenting congregations. It would require a very strong optimist to believe that popular election succeeding patronage would sweep away all sources of trouble. He would, however, venture to say it had given far greater satisfaction than the other system, and that when the strife was over, there was far greater and heartier unanimity of sentiment among the congregation, than when a minister was forced upon them by patronage. Then, it was asked that there should be a special inquiry into the Church Patronage Act, its results, and the points on which further legislation might be desirable. In all the Motions which had been discussed grave questions were involved, which could not be usefully determined by any of the proposed inquiries. These were questions upon which the Government must make up their own minds when action was necessary. He did not think they would be much aided by any such inquiry. It might be necessary to inquire into certain facts; but, if so, the reference would have to be different in form from any then before the House. There were questions involved on which he felt deeply, and should like to express his views; but he thought it would be better to confine himself to simply indicating that the Government could not accept any of the three Motions proposed.

Mr. GLADSTONE: Sir, this debate has divided itself into two branches, one as to the expediency of an inquiry in the form proposed by my hon. Friend the Member for Paisley (Mr. W. Holms), and the other as to the general condition of the Established Church in Scotland. I will offer one or two remarks upon the first question which is before us—namely, whether we ought to have an inquiry into this subject? Now, Sir, when I take the Motion of my hon. Friend on the particular question before the House, I fully admit that the Patronage Act of 1874—omitting from the present question whether it is consistent with the time during which it has been in operation to make it expedient that there should be an inquiry—is a perfectly legitimate subject for Parliamentary inquiry according to the precedents which former years afford. The subject of patronage was carefully investigated by a Committee of the House, and there could be no reason in the nature of the case why the same thing could not be done again. But when my hon. Friend proceeds to propose that a Committee should be appointed to ascertain how far the people of Scotland are in favour of maintaining the connection between Church and State in that country, I do not know of any adequate answer to the objection taken by the right hon. and learned Lord Advocate and by other Gentlemen, that a Select Committee is no competent or suitable instrument for conducting an inquiry of the kind. If it is to be instituted at all, it ought to be conducted before another tribunal, and the proposal to break the connection ought to be made on higher and more solid responsibility than the recommendation of a Select Committee of this House. Well, Sir, when my hon. and gallant Friend the Member for East Aberdeenshire (Sir Alexander Gordon) proposed to proceed by a Commission, instead of a Committee, it does not appear to me to mend the matter at all. A Committee is a body appointed by this House and responsible to it, and the Government would be placed in a position of considerable difficulty were they called upon to appoint a Commission. They could not be blamed if they chose the Members of that Commission, or a majority of them, from amongst those who shared their own views. I think, also, in a case like this, where there is a great difference of opinion actually existing in Scotland, it would be extremely difficult to secure the confidence of what I may call both parties in the Report of any Commission the Crown might appoint. It would be far better if there were to be a public inquiry into so much of the subject as might be legitimate—that the inquiry should have a popular source, and originate in this House—rather than that it should spring from the Prerogative of the Crown. As regards the main question of Church and State, I do not see that it is a proper subject for inquiry at all—or, more properly speaking, a subject upon which we need have any preliminary inquiry. The people of Scotland are the persons who are mainly to be considered in the discussions upon this matter. The hon. Gentleman the Member for Bute (Mr. Dalrymple) has made an appeal to English feeling, on the ground that a conflagration in Scotland might produce a very disagreeable increase of temperature in England. Those, I may say, are the old arts—perfectly legitimate, but still the old arts—by which it was formerly attempted to maintain the Established Church in Ireland. What I certainly must say is this, that the case of these Church Establishments must be considered distinct from one another, and that each must be dealt with upon its own merits, with a careful regard to the principles that it presents, and to the feeling in each case of the people of the three countries. In this particular instance, the feeling of the people of Scotland must have a very large, and probably dominant, influence in the determination of the question; and the House would be placed in a totally false position if it were to say—supposing it to be true—that the deliberate national sentiment of Scotland is opposed to the maintenance of an Establishment; that, notwithstanding that fact—"We will invoke the force of English opinion, and the sentiment in favour of keeping up an Establishment in England, to rule the case of Scotland." As respects the inquiry, though with the most sincere desire to ascertain the feeling of the people of Scotland upon the working of the Act and other ecclesiastical questions, in the country, yet I confess my belief that the organs with which the Constitution provides them are sufficient to enable them to convey in an intelligible form to the House what their desires are. They have the power of meeting, the power of petitioning, and the power of the franchise; and, when I look at the course of the elections in Scotland from time to time, I doubt whether hon. Gentlemen opposite might not have acted more wisely, and fulfilled their character as interpreters of the opinions of the Scottish people better, if they had spoken with a little more reservation this evening. Therefore, although I, for one, would not object to institute the precedent laid down for us, and inquire into the working of the Patronage Act, if it were shown to be the earnest desire of the Scottish public in general that such an inquiry should take place, yet I find an entire absence of any evidence of such desire. The two great Presbyterian Nonconformist Churches are against this inquiry, and the Presbyterian Established Church of Scotland has not expressed any desire that such an inquiry should take place; and I should rather presume from the course taken by the Government, who must be taken to be in sympathy with the Church as an Establishment, that they are opposed to it. Therefore, I think, that after the three or four hours we have spent in the discussion of this question, we have attained to this point—that those who have proposed this inquiry in different forms to the House must have arrived at the conclusion, in their own minds, that there is no desire either in the House or in the community out-of-doors, which would warrant them in pressing their proposals. But the debate has taken a wider range. At the time that the Scottish Patronage Act was introduced in 1874, the House was warned that it would go directly to break the ground upon a subject which had previously remained tranquilly in the back-ground, and would raise the whole question of Church Establishment in Scotland. The right hon. and learned Lord Advocate has just stated, and I pay great deference to his opinion and do not question its accuracy, that the working of the Patronage Act within the precincts of the Established Church of Scotland, has, in his judgment, been satisfactory, and has diminished the range and intensity of those divisions in parishes which are connected with the choice and election of ministers. That may be so, and the union of a Church within itself is a matter which we all greatly rejoice to see, and every well-wisher to religion must contemplate it with satisfaction. But the union of a Church within itself does not go very far to determine the question whether or not that Church should be established as the national religion of the country, and should enjoy the ecclesiastical property of the country, in which the mass of the people are supposed to have a common interest. The Irish Established Church was one remarkably united within itself, one colour of theological opinion spread almost entirely over the whole Institution, and the cries of party were almost unknown within its pale. But the allegation of the union of that Church within its borders would not have availed as a plea for its maintenance; indeed, I do not think that the experiment of urging such an argument was ever tried by a solitary Member of the House during the discussions on the Disestablishment of the Irish Church, however interesting and material for its own purposes such a statement may be. It borders but little upon the wider question which has been contemplated but timidly and indecisively by nearly all the speakers in this debate. My right hon. Friend, indeed, has spoken out with great decision his opinion upon the question of the Establishment in Scotland. But I observe that the opinions of hon. Gentlemen on the other side, who differ from him, were far from being spoken out with force and breadth, and have only been indicated as matters that may hereafter be developed; and it is very difficult to collect, either from the speech of the right hon. and learned Lord, or from that of the hon. Member for Bute (Mr. Dalrymple), or even from that of my hon. and gallant Friend the Member for East Aberdeenshire (Sir Alexander Gordon), what are the precise grounds on which they are prepared to contend that it is necessary to maintain a Church Establishment in Scotland. I do not think that the subject has been sufficiently developed in the course of this debate for one to give any opinion with regard to it; but I observe, undoubtedly, an absence of disposition on the part of the supporters of the Establishment to bring forward positive arguments in favour of it. I have heard it said, and said with great truth, that the Established Church in Scotland is highly respectable. There is no question about it, it is highly and universally respected;

and so I think I may say was the Established Church in Ireland—that is to say, it had all the titles to respect that it could possibly derive from the high character, conduct, zeal, and energy of its ministers. But that, after all, goes a very little way towards showing that, on that ground, it ought to be the Establishment of the country. The promoters of the Act of 1874 have, it is evident, opened this question effectually. Before 1874 what did we know? We knew that the Church Establishment of Scotland was the religion of a minority of the people—that we knew perfectly well; but we knew, also, that a great majority of the people acquiesced, and contentedly acquiesced, in the maintenance of the Establishment. We know even now, as has been stated in the course of the debate, that this is not a burning question; no arguments of great vehemence have been employed either upon one side or upon the other; we have not been told on either side of the House, as we were told when the question of the Irish Church Establishment was raised, that the consequence of destroying the Irish Established Church, as an Establishment, would be more grave and formidable than those of a foreign conquest in the country. No such dismal prospect has been held out on this occasion. This is a matter which lies within a narrow compass; and I am convinced that whatever happens in Scotland, the people of Scotland are a religious people, and are certain to make an adequate provision for their own religious wants—a provision certainly not less adequate than what now prevails. Before 1874 there was an acquiescence which, if not universal, was, at all events, that of the majority, in the existence of the Established Church; and those who protested against it constituted not only a minority, but a small minority, though perhaps not an unimportant one, of the country. In my opinion, it would have been wisdom in the Church of Scotland to have been contented with the state of things that existed. But others of more enlarged views pressed the passing of the Patronage Act, and the consequence of that Act has been that men now look at this as a national question. The other Presbyterian Churches, which jointly must out-number the Church of Scotland, and which may be said to constitute if not a majority, at least one moiety, of the people of Scotland, have accepted the Patronage Act as a distinct challenge on the subject of Establishment, and have answered that challenge by saying that it is their deliberate conviction that the Establishment that now exists in Scotland ought not to continue in possession of the national property. I understand the Free Church at present to say that they do not think the existence of an Establishment ought to be maintained, and that they believe that the maintenance of an Establishment is no longer necessary to the welfare of religion, whatever use it might have been in former times. Until 1874 the question slept dreamily; but now, the two Independent Presbyterian Churches are united in their demand for a cessation of the preference shown to the third Church. I admit that, in the abstract, it is very difficult to prove that a Church should be national which does not command the adhesion of the majority of the people. As a general rule, I hardly know how a Church can be national which is the Church of the minority. The Established Church of Scotland has every title which it could possibly derive from its respectability; from the energy, cultivation, zeal, and piety of its clergy; and it also derives much advantage from many recollections of former times; but still, nothing has been said to show upon what principle it is that an Establishment is to be maintained which is the Establishment of a minority only of the people. I can conceive a case where the minority consists almost entirely of the poorest classes. I will suppose that the Free Church and United Presbyterian Church of Scotland had a monopoly of the wealthy and middle classes, and that the Established Church had the poorest classes left to its special and almost exclusive care. Such a case I can conceive, and I can believe, also, that it would have a most important bearing upon the question of Establishment in Scotland. I apprehend that the contrary holds in the present instance, and that if you take the average of the wealthy members of the Established Church and of two great non-Established Presbyterian Churches in Scotland, you will find that the average temperance standard of the members of the Established Church is higher and not lower than that of the others. It was at one time contended—and I thought at the time with great force—that the maintenance of a Protestant Church in Ireland was necessary in order that it might continually uphold the testimony against the errors of the Church of Rome. But will any man rise in his place and say that the maintenance of the Established Church of Scotland is essential as a protest against the errors of the Free Church and United Presbyterian Church? Therefore, Sir, I do not see what arguments there are in favour of the Established Church, and I will reserve to myself any arguments that I may have to raise on the general question, until I hear on what grounds the Establishment is supported. It is the people of Scotland and their convictions which will have ultimately to settle this question; or, if Her Majesty's Government think that the will of England ought to settle the question for Scotland, then, by all means, let it state that proposition, and then we shall know what we are about. As I have already said, it is my strong conviction that it would have been wise of the Church of Scotland not to have forced this question to the front. As they have judged right to do so, it is fair to call upon them to produce their arguments, and not to say only that they are a respectable body, which no one contests—that their clergy are excellent, which I admit—or even that the Patronage Act has diminished the feuds in parishes, which is quite possible—they must also show that the exclusive enjoyment of the national property which has been set apart for ecclesiastical purposes in Scotland by our religious communion ought to be maintained. My intention is to hold myself free on this subject; but, first of all, I should like to be assured of the concurrence of right hon. Gentlemen opposite in what I have said. I should like to know whether they agree with me, that this is a matter which ought to be determined by the sentiment of Scotland and not of England? If they agree in that proposition, we shall have made some progress towards placing this question upon a sound and solid basis. If they do not agree with me on that point, the sooner the fact is made known for the information both of Scotland and England the better. In some sense there might be some self-gratulation upon the part of myself and my right hon. Friends, who saw the danger of the change in 1874 and warned the promoters of the Act of it. The change that has taken place in Scotland in the position of this question is one which any intelligent man who comes from Scotland will not for one moment deny. The position of this question now is totally different from what it was 10 or even five years ago. A controversy has been raised by those whose interest, and, perhaps, whose duty, it would seem to have been to have avoided raising such a controversy. Let them now set out clearly and intelligibly what they think to be the merits of the case, and I have no doubt that it will receive an impartial hearing. But it will not be got rid of by mere superficial or collateral criticism, such as that of the hon. Member for Bute upon the speech of my noble Friend the Member for the Radnor Boroughs (the Marquess of Hartington). I was glad to hear that speech, because the propositions of my noble Friend were excellent, and I was glad that they had received additional currency from being repeated from the mouth of the hon. Gentleman. The Established Church of Scotland must stand or fall according to the general convictions of the people of Scotland; but, whether it stands or falls, the House is pretty much united in the opinion that there can be no advantage at present in instituting either a Parliamentary or other inquiry.

MR. ASSHETON CROSS congratulated the noble Lord the Member for the Radnor Boroughs on having found in the right hon. Gentleman the Member for Greenwich an apt pupil as regarded the speech he had delivered in the autumn. But he ventured in all humility to say to the right hon. Gentleman that no one who had held his high position, or who held the high position which he still occupied, had a right upon a matter touching the deepest interests of any part of the United Kingdom to make such a speech as he had done to-night—a speech exactly similar to that of the noble Lord on another occasion—and yet to say that he had not formed an opinion on the subject. The tenour of that speech was this—"If you will cry out loud enough, I will come and help you. I am not going to suggest that you should steal that article from the shop window; but, when you have taken it, you may come and ask my opinion of what you have done." Such attempts as the speeches of the right hon. Gentleman and the noble Lord to get up a cry in Scotland were unjustifiable, wrong, and inconsistent with their high position in the House and the country; because they were Leaders of public opinion in a Party they all valued, however much they might differ from its opinions. It was not the part of those who had to lead to induce their followers to make a cry in order that their Leaders might take it up. The right hon. Gentleman said he had heard no defence of the Church of Scotland. Of course, there had been no such defence, because the Church of Scotland had not been attacked, except by the right hon. Member for Montrose (Mr. Baxter), on matters which had nothing to do with the Motions on the Paper. When it was attacked they would be quite ready to defend it. The speech of the right hon. Gentleman reminded him of the days of 1868, when they were dealing with the Church of Ireland, and it brought out two differences—in 1868, the right hon. Gentleman always endeavoured to distinguish between the Church of Scotland and the Church of Ireland, and now he wanted to make them look as like each other as possible; and, moreover, at that time, the right hon. Gentleman had a large majority behind him, which, at present, he (Mr. Assheton Cross) was thankful to say he did not possess. He would not now argue the question, when the only question was whether they should have a Committee or Commission of Inquiry into the Church of Scotland? But he would make this further remark. The right hon. Gentleman said, he wanted to know what was the opinion of the majority of the people of Scotland at that moment upon that particular question; but when he asked on what principle the question was to be argued, he appeared to have forgotten a principle at one time declared by him — namely, that every State ought to have an Established Church; and in the arguments relating to the Irish Church, he did not touch this principle, where the Church was in the different position it occupied in England and Scotland, and thus it was only owing to the peculiar circumstances of Ireland that he ventured to attack the Established Church of Ireland. That evening he threw to the winds the idea that there was anything to be argued when the question of Disestablishment in Scotland came to be discussed. He did not agree with the right hon. Gentleman; he hoped the House did not. He knew the present House did not agree with the right hon. Gentleman, and he hoped it would be long before any other House did. He would now come to the actual question they were discussing, for he declined to be led into a long discussion on a matter which had nothing to do with the Motions before the House. Now, by the first of these Motions, inquiry was asked for in 1878 into the working of an Act which was passed only so recently as 1874, and also as to its effect on the reciprocal relations of the various religious denominations in Scotland. It was perfectly clear, however, that the result of the operation of the elective principle as established by the Act could not be fairly tested in four years, or even in 10. It must take almost a generation before the full working of that Act could be ascertained; and all inquiry into the matter, therefore, at the present moment, would be absolutely premature. Of course, there were only a certain number of ministers in Scotland; they did not all die every year or every other year; and, comparatively speaking, very few ministers had died in Scotland since the Act came into operation. The right hon. Gentleman had said a great deal about that Act; but it was scarcely necessary for him to inform the House that he entirely differed from almost every word which had fallen from the right hon. Gentleman on the subject. He did not believe that Act was a step in the direction of Disestablishment. He never, he might add, could understand the argument that the removal of a grievance which was the result of its passing into law constituted a hardship on the Free Church. He had heard that argument over and over again, but he never could understand it. He should think, on the contrary, that the proper course to pursue in a case of the kind would be to remove abuses if any were shown to exist. A right hon. Gentleman opposite said—"I assure you, whatever you do in this country the Free Church will never go back to the Established Church." Now, he did not believe that would ever be the feeling in Scotland.

MR. BAXTER said, he had quoted the declaration of that body itself.

MR. ASSHETON CROSS said, that might be the declaration of certain persons for a particular purpose, but still he did not believe that it was the expression of the real feelings of the people of Scotland; and, as had been stated that night—and it could not be denied—it undoubtedly was not the feeling of the inhabitants of the Highland parishes, who, as his right hon. and learned Friend the Lord Advocate told them, would be the last people to allow a farthing of the Church's present endowments to be devoted to any secular purpose whatever. Certainly these were questions that might have to be inquired into. The Government were as anxious as anybody to remove proved abuses; and if, on due consideration, they found that there was any abuse which they could possibly remove, they would take the best means in their power for that object. The next part of the Motion was that there should be an inquiry instituted by a Committee of this House to ascertain how far the people of Scotland were in favour of maintaining the connection between the Church and the State in that country. He could not imagine that any people would apply for a Royal Commission to inquire into such a matter. That was a matter which the Government must find out for themselves. He hoped as to that it would be a long time before the right hon. Gentleman came to a definite conclusion; he hoped, if he arrived at such a definite conclusion, it would be longer before he propounded it to the public; and he hoped that if he did propound it, it would be longer still before he found himself in a position to carry out his conclusion. He had the same objection to a Commission as he had to a Committee. Practically, the Commission as proposed would inquire not with regard to the Established Church itself, but with regard to the obstacles to union in the Voluntary Bodies who had separated from that Church. Such an inquiry would not be assented to by the Voluntary Bodies, and it would not be right. The Government had gone one important step towards the removal of abuses by the abolition of patronage, and the members of the Established Church of Scotland felt that a great grievance had thereby been done away, and they were much more satisfied with their present condition. That, he thought, would become the feeling of other religious bodies in that country; and the very reason why the right hon. Gentleman charged the Government with being unjust to the Scottish Dissenting Denominations was, because, by removing a grievance, it would draw these Denominations back to the Church which they had left in former years. He could not help stating the strong feeling he entertained regarding the observations of the right hon. Member for Greenwich. He hoped the right hon. Gentleman would remember the great responsibility which would fall upon him in dealing with matters of that kind, when every word must have weight; but he ought not to state his views in that way, and then state that he had formed no opinion on the subject. Then, the same might be said of the noble Lord's speech, for no one holding the position he did had a right to say that the people of Scotland ought to form their own opinion while he formed none. That would be right enough in private dealings, but not for a man in the position of the noble Lord, because it was meant to have an effect without committing him to an opinion—and the intended effect was, to raise a cry at every Election for the purpose of promoting the question of Disestablishment, and to sow discord where there ought to be peace, and to introduce political contests when everything ought to be done to produce union between the three Churches, instead of dissension.

MR. DILLWYN thought it was inexpedient to proceed with the discussion, as many other hon. Members wished to address the House. He moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Dillwyn.*)

THE MARQUESS OF HARTINGTON thought it was the opinion of the House that the debate should be adjourned. It was quite impossible that the whole subject raised could be adequately discussed at that hour of the morning—a quarter past 1 — seeing that they had heard scarcely more than the speeches of the Members who moved the Resolution and the Amendment, and had not been able to hear the speeches of Members who had other Amendments on the

Paper. The right hon. Gentleman who had just sat down had spoken with considerable severity of the speech of his right hon. Friend the Member for Greenwich, which was, he said, of the same character as that which had been made at Edinburgh, and was unjustifiable. He had also said that it was an attempt to raise a cry. The right hon. Gentleman could not deny that the question existed long before last autumn. The supporters of the Established Church themselves admitted that dissatisfaction with the Establishment existed in Scotland; and what he said at Edinburgh, and what he repeated now, was that some remedy for that evil must be found. He was prepared to discuss any remedy that might be suggested, and was not committed to the opinion that Disestablishment was the only way out of the difficulty in which the people of Scotland found themselves as far as this matter was concerned. But he believed the feeling in Scotland in favour of Disestablishment was real; and, if the majority of the people decided in that way, he, for one, should support them in the course they pursued. Did the right hon. Gentleman mean to say that the question did not exist long before he (the Marquess of Hartington) went to Edinburgh, or that it would not have existed had he not gone there? There was undoubtedly a difficulty in the condition of the Established Church of Scotland, as was shown by the numerous Motions made on the point, to a great extent by members of the Established Church. The hon. and gallant Member for East Aberdeenshire (Sir Alexander Gordon) knew that the difficulty existed, and he was endeavouring to find a solution for it. He adhered to every word he had said at Edinburgh, for he felt that in Scotland there existed a state of things which could not last, and for which some remedy must be found. They had heard a great deal about the opinion expressed in Edinburgh last year by the noble Lord the present Secretary of State for India (Viscount Cranbrook) that if the question of Disestablishment were made a burning question in Scotland, it would be a scorching question in England, and this seemed to be the only argument which could be used in certain quarters in reference to the subject. As he had already said, he did not assert that Disestablishment was the only remedy that could be adopted; but, if it were, he thought the question was one that ought to be decided from a Scotch point of view, and not on considerations which might remotely affect any other part of the United Kingdom.

Mr. NEWDEGATE pointed out that the terms of the Union between England and Scotland were based upon the security the people had for the maintenance of tolerance in religion, and that the Sovereign of these Realms must be a Protestant, and in communion with the Churches both of England and of Scotland. That was the condition of the Union which lay at the foundation of the law on which Her Majesty and her heirs were entitled to the Throne. The right hon. Gentleman pursued a very dangerous course when, in respect of what had passed in Ireland, he endeavoured to merge a great constitutional question, which affected the whole of the United Kingdom, into one consideration affecting a small portion of the Kingdom, where there was some discontent. The right hon. Gentleman would give predominance to discontent, which might be temporary, against the securities for their liberties and their peace. He would ask him what had been the result of his experiment? Had they no murders in Ireland? Had they not in that House Representatives of Irish disorder? Had they not proposals for the further infraction of the Union? These were the peaceful fruits of the doctrine which the right hon. Gentleman had been at so much trouble again to enunciate for application to Scotland—Scotland, to which he looked with affection as the best security, in union with England, for the cause of freedom and of order.

Sir GEORGE CAMPBELL said, if this debate were adjourned he did not think it was very likely that it would come on again; and he, for one, was not anxious that it should. He had a Motion for the Previous Question that he had no opportunity of bringing on; but he would like to say one word to explain the course he had taken He had arrived at the same conclusion as some hon. Gentlemen opposite, but he had done so by a totally different path. In putting on the Paper a Motion for the Previous Question, he did not wish to shirk the debate; on the contrary, he came early to assist in making a House, though, for his part, if the House had been counted out he did not know that the occurrence would have been much to be regretted; but he would say that there would have been one cause for regret. They would have lost the speech of the right hon. Member for Greenwich, which would be regarded in Scotland as an important landmark in this discussion. His great objection to the Motion was that in the present state of feeling in Scotland with respect to the Church, such an inquiry as was proposed would lead to excitement, and put the population of Scotland by the ears in a way that was not likely to lead to any peaceful result whatever. As to the Motion of the hon. and gallant Gentleman opposite (Sir Alexander Gordon), his (Sir George Campbell's) own opinion was altogether adverse to the principle of an Established Church. Believing, as he did, that the Church of Scotland was the least intolerant of all State Churches, he was willing to leave it alone as long as it had in itself sufficient vitality to live in the will of the people of Scotland. But, on the other hand, he was wholly opposed to any attempt to prop it up by pressure from without. Therefore it was that he was opposed to the proposal of the hon. and gallant Member opposite to prop it up, altogether it must die, and he wanted it to die peaceably.

Sir ALEXANDER GORDON: I beg the hon. Member's pardon. I never used any expression having the slightest tendency that way.

Sir GEORGE CAMPBELL: Then the hon. and gallant Gentleman and myself are entirely in accord. He does not wish to prop up the Church.

Sir ALEXANDER GORDON: I did not say I did not wish to prop up the Church.

Sir GEORGE CAMPBELL: The hon. and gallant Gentleman is very difficult to please. He objected to my saying that he wished to prop up the Church, and then he equally objects to my saying he did not wish to prop up the Church.

Major NOLAN said, he wished to congratulate the hon. Member for North Warwickshire (Mr. Newdegate) on the fact that there were not more Irish Members present, as a speech like that which the hon. Member had made would be sufficient to set them all against the Established Church in England, Scotland, and Ireland.

Mr. LAING said, he did not wish to detain the House at that late hour of the night — 20 minutes to 2 — but he wished to disabuse the House of the impression made by the right hon. and learned Lord Advocate as to the feeling in some of the Northern counties of Scotland, where the adherents of the Established Church were in a minority. It was stated that the great majority who did not belong to the Establishment were Establishment men in principle, and that they would resent any proposal to appropriate the present revenues of the Established Church for the purposes of education. Now, as regarded the principal portion of the county he represented—namely, Orkney—he could say, most distinctly and emphatically, that that statement was not correct; but that the distinct opposite was the case. In the county to which he referred, the great majority did not belong to the Established Church; and if there were a county which might be abandoned as an untenable outwork of the Established Church, probably that county of Orkney was the one. Yet the feeling of the people was now that things ought to remain as they were until the question was ripe for settlement. Although they did not belong to the Church, the whole county of Orkney might be searched, and they would scarcely find one member of the Free or Limited Presbyterian Churches, who was not in favour of Disestablishment. This result had been arrived at, not in accordance with any theoretical idea. It had been the result of a great many years' experience in a part of the country where the people had seen the great advantage of the working of the Voluntary system. He believed the working of the Voluntary system in these counties had been a great agent in civilization. This was the result of that experience in the great body of the Free Church in Scotland, which was gradually converting the people to that principle. They would find some old men belonging to the Free Church still in favour of the principle of Establishments; but as new men were brought into the pale of the Church, they would find them advocating the Voluntary principle simply and solely as the result of experience, and the intelligence of the Scottish people would lead them to wish that system to be extended to Scotland generally. Therefore, he said, most distinctly and emphatically, that in one, at least, of the Northern counties of Scotland the great majority, as he believed, were entirely in favour of the Voluntary principle and Disestablishment.

Question put, and *agreed to.*

Debate *adjourned* till *Tuesday*, 9th July.

EPPING FOREST BILL.

Select Committee on the Epping Forest Bill *nominated* of, Mr. STEPHEN CAVE, Lord FREDERICK CAVENDISH, Mr. Serjeant SPINKS, and Two Members to be added by the Committee of Selection.

Ordered, That all Petitions presented against the Bill be referred to the Select Committee on the Bill, provided such Petitions are presented three clear days before the Meeting of the Committee, and that such of the Petitioners as pray to be heard by themselves, their Counsel, or agents, be heard (with the sanction of the Committee) upon their Petitions, if they think fit, and Counsel heard in favour of the Bill against the said Petitions:—That the Committee have power to send for persons, papers, and records; Three to be the quorum.—(*Sir Henry Selwin-Ibbetson.*)

House adjourned at a quarter before Two o'clock.

HOUSE OF COMMONS,

Wednesday, 19*th June,* 1878.

MINUTES.]—SELECT COMMITTEE—Land Titles and Transfer, Sir George Bowyer and Sir Harcourt Johnstone *added;* Gold and Silver Hall Marking, Mr. Puleston *added.*

PUBLIC BILLS—*Ordered—First Reading*—Commutation of Tithes* [222]; Supreme Court of Judicature (Ireland) Act (1877) Amendment* [223].

Second Reading—Women's Disabilities Removal [12], *put off.*

Considered as amended—Tenant Right (Ireland)* [31], *debate adjourned.*

CONTROVERTED ELECTIONS.

MR. SPEAKER informed the House that he had received from Mr. Justice Field, one of the Judges appointed in pursuance of the Parliamentary Elections Act, 1868, for the Trial of Election Petitions, a Letter, enclosing a Copy of a Notice relating to the Election for the Southern Division of the County of Northumberland:—

Letter and Notice read, as follow:—

Northumberland County (Southern Division) Election,—

Westminster Hall,
18th June 1878.

Sir,

I beg to inform you, pursuant to "The Parliamentary Elections Act, 1868," that a Notice, of which a copy is herewith enclosed, was duly filed on the 15th instant.

I am, Sir,
Your obedient Servant,
WILLIAM VENTRIS FIELD.

To the Right Honourable
The Speaker.

(Copy.)

In the High Court of Justice, Common Pleas Division.

The Parliamentary Elections Act, 1868.

Election for the Southern Division of the County of Northumberland holden on the 10th and 17th days of April in the year of our Lord, 1878.

Between Henry Milvain and others, Petitioners;
and
Albert Henry George Grey, Respondent.

I hereby give Notice that I do not intend to oppose this Petition.

Dated this 15th day of June, 1878.

ALBERT HENRY GEORGE GREY.

And the said Letter and Notice were ordered to be entered in the Journals of this House.

ORDERS OF THE DAY.

WOMEN'S DISABILITIES REMOVAL BILL—[BILL 12.]

(*Mr. Courtney, Mr. Russell Gurney, Mr. Stansfeld, Mr. Jacob Bright.*)

SECOND READING.

Order for Second Reading read.

MR. COURTNEY, in moving that the Bill be now read a second time, said: Sir, When I first undertook the conduct of this Bill in the House, I felt that I accepted a very considerable responsibility—a responsibility which, I must confess, did not appear likely soon to pass away. Time, far from decreasing that sense of responsibility, has tended to increase it; and though I rise in the very well-assured belief that this Bill will most certainly become law sooner or later, that the change we propose to introduce will be accepted by Parliament in, I hope I may say, not merely the lifetime, but in the Parliamentary lifetime, of many of the older Members of this House, still I must admit that the circumstances of the present day are not favourable to anything which savours of novelty. And, Sir, I feel that my responsibility with respect to this measure is also heightened by the fact that I am conscious of having lost the support of some Members whose names and characters carried the most deserved weight both in this House and in the country. On the back of this Bill is the name of Mr. Russell Gurney, who has so recently passed from among us; and I should not be doing justice to my own feelings, nor, I think, to the subject itself, if I were to let this occasion pass without paying a tribute of respect, however feeble, to the memory of that distinguished man. This is not the time to rehearse his virtues; that task is reserved for those who knew him more intimately. But it would be ungrateful on the part of anyone who had charge of a Bill for removing the electoral disabilities of women, if in introducing that Bill to the House, and in asking the House to assent to the second reading, he let the name of Mr. Russell Gurney pass by without paying a tribute to his memory. Mr. Russell Gurney was a Judge; and we all feel, and we have a right to feel, that it is a perilous experiment to introduce into this House a judicial element. We have excluded one by one from our deliberations those who sit on the higher benches of justice; we have been afraid lest, if they mingled among us, they might carry to the judgment seat something of the partizanship which is inevitable in this Assembly. But, in doing so, I think we must all be conscious that it is not altogether a gain to exclude such persons from our debates; for if we save the judicial seat from imputation of Party feeling, we have also lost to this House some who would bring to our discussions the habit and the temper of the Bench. And I think it may be said of Mr. Russell Gurney, that when he was here he never forgot that he was often called to sit in the judgment seat, and that even among us he was a Judge rather than a Member of Parliament. And especially in respect to all questions affecting the position and the rights of women, he had that great attribute of a Judge, to recognize their claims even before they were pressed on his attention by any importunity. The unjust Judge of Scripture listened to the complaints of a woman only because he was wearied out by her pertinacity; the righteous Judge is foremost to admit any proper claim from whomsoever it may come, and Mr. Russell Gurney surely fulfilled that duty. We have also lost another Member of this House, a man of distinctive character from Mr. Russell Gurney; but exercising an influence which was certainly as great, and deeply deserved. Mr. Henley always voted, and not unfrequently spoke, in favour of this Bill. When I have reminded some persons out of this House of that fact, they have not unfrequently been struck with astonishment. "What! Mr. Henley voted for the Bill! How is that possible?" I think that astonishment indicates a somewhat feeble appreciation of Mr. Henley's character. Mr. Henley was endowed with that rarest of qualities, the courage of thinking for himself. If any man has that quality, although his thoughts may not go far, he at once becomes a person of distinct individuality. Mr. Henley thought for himself, and, so thinking, he had the courage of his convictions. He addressed himself to this question without prejudice, and without any apprehension beforehand as to the consequences of his own thought. He saw that the claims of women could not be denied, except upon grounds which would also compel the claims of men to be rejected. Mr. Henley, happily, has not left his neighbours and friends as he has this House; but, as he has left us, I may be allowed to express the hope that on the opposite Benches, and on these also, we may never want instances of a like individuality and sagacity, even though we may never see a more absolutely honest Member, one possessing greater independence of character, a more thorough simplicity of thought and directness of purpose, and a higher courage, than Mr. Henley. Now, in approaching this Bill, as, indeed, in approaching any question which is to be submitted to this House, the first feeling which I think any advocate must have is that of the necessity of arriving at some common ground—some base from which he and his opponents may depart on their separate ways. And I hope I shall not begin with a principle too elementary, if I assume that every Member of this House is of opinion that representative government is the best of all forms of government; and that it should be the aim of this House, in the interests of the country, the destinies of which are so largely committed to its charge, to make itself as representative as possible. I think that representative government will be admitted to be the best of all forms of government for various reasons. In the first place, you secure in your Assembly, to which is confided the legislation and the supervision of the administration of the government of the country, a large body of information respecting the subjects to which it has to address itself. Your House, Convention, or Assembly, or whatever it may be called, is informed on almost every matter that can come under its deliberation. You also secure due attention to the claims, rights, and interests of every section of the body for which you legislate, or whose interests you administer, since in a representative Assembly there are representatives of all interests—or there should be; and so you secure a hearing for the different classes whose interests you are dealing with. And, lastly, there is this great advantage in representative government—that you thereby interest every class of the community in the affairs of the community, that you develop among your citizens the sense of citizenship, that you educe from among the people a common feeling as of those possessing a common history, with common objects, and a common destiny. You may have different ways of arriving at the formation of the representative Assembly which you aspire to create; but, in some way or other, you follow these principles in endeavouring to bring into your representative Assembly representatives of different sections of feeling and of interest in the community itself. Of course, there will be differences of opinion—there are differences of opinion now—as to the adequacy or completeness of the machinery you have adopted. Some persons will say it errs in the excess, or undue proportion, of representation given to one class, or in a deficient representation in respect to another class; others will think it cannot be materially mended; but the object, the principle we all have, is to secure in some measure or other to each section, to each class, a certain representation—and for the purposes which I have stated—namely, to secure information to the House, to secure that justice which is attained when the House has before it the representation of all divisions, and to secure the welding together of the members of the community into a sense of common union. Well, Sir, if we realize these principles, and turn to the question before us, I think we must at once see that the question of sex, at all events, does not primarily arise in the topic now under consideration. All the principles I have laid down apply without distinction of person to men and to women. There may be reasons, to which I will refer presently, why women should be excluded from any share in the election of the members of a representative Assembly; but, at all events, this much, I think, must be admitted—that the burden lies on those who insist on their exclusion to justify their exclusion, and that, *primâ facie*, distinction of sex does not appear as an element in the problem under consideration. I do not shrink from the necessity of positive proof of the claim I am advocating; but I must point out to the opponents of this Bill that logically and constitutionally the burden rests upon them to justify the exclusion which actually obtains. Now, Sir, I remember that some years ago, when a question of the extension of the suffrage was brought on a Wednesday afternoon before this House, a right hon. Gentleman, who then filled the Office of Chancellor of the Exchequer, came down to the House and laid down this principle—that he thought all members of the community should be admitted to a share in the representation in this House against whom there could not be established personal unfitness or political danger in consequence of their inclusion. Prove they are personally unfit, and you then establish a good reason for not admitting them to the franchise. Prove that political danger would follow their admission, and you again establish a reason for excluding them; but, unless you prove one or the other, their case is established when they come claiming to be admitted, because you certainly gain something by their admission, and you must prove a loss in order to deny their claim to be admitted. That was thought at the time, Sir, to be rather a revolutionary sentiment; but, in truth, it is a commonplace of the Constitution, and the exceptions cover every case that may be rightly alleged against the exclusion of any class or any set of persons in the community. And, with regard to the problem in hand, the question arises, can you demonstrate with respect to women that they are personally unfit to exercise the franchise, or can you demonstrate that political danger would follow their inclusion? And, let it be remembered, Sir, what the problem is as expressed in this Bill. We are not dealing with a universal enfranchisement of women or a universal enfranchisement of men. We take the lines which have been adopted by Parliament as those which are best fitted to secure within this House a representation of the people in the country; and what you have got to do in going through any constituency, as it is at present formed, is to demonstrate in respect of the women in comparison with the men that there is personal unfitness, or that there would be political danger from their inclusion. Of course, with respect to this matter of personal unfitness, I might cite women who are most distinguished in arts, in literature, and in the science, and even in the practice, of government; but I confess that I think that is not a fair and a right method of argument. I might cite in the same way men who are distinguished in the science and practice of government. The real problem before us is that of comparing the average man with the average woman, and discovering whether, in a comparison between those, you can find any radical unfitness in the members of one sex to disqualify them from exercising the franchise under the conditions under which the franchise is now exercised by the other sex. Let any hon. Member in his imagination go down any street of the borough he represents and go from house to house. He finds in one house a maiden lady or a widow living alone, paying her rates and taxes, and fulfilling all her duties as a member of society; and in the next house a man, a father of a family. Taking them one by one, side by side, can you attribute to one as against the other any personal unfitness? It may be said that women are ignorant. It may be said that they are prejudiced; that they are led away by their sentiment; that they are uninformed; and that they are controlled by priests, or by some other persons exercising considerable influence over their feelings and opinions. Cannot every one of these things be said of men also? Who are the opponents of women who come and say they are ignorant? Who are the opponents of women who come and say they are prejudiced? You meet prejudice by prejudice, and then you proclaim your intellectual superiority by declaring that the other sex are affected with this disability of intellect. In respect of this, as it appears to me, ludicrous criticism, knowing how indissolubly connected men and women are, how little we can escape from the range of their intellect, how very feeble we are to cut ourselves adrift from the influence of their thoughts and feelings, I have often thought of a couplet of Mr. Pope, who was very severe upon women and said many harsh things of them; and whose relations, indeed, with the sex were not always happy. But he said one thing which I have always thought to be a conclusive reply to all these objections. Hon. Members will remember one of the Royal Princesses who had a dog, upon the collar of which was engraved the couplet Mr. Pope wrote—

> "I am Her Highness' dog at Kew,
> Pray tell me, sir, whose dog are you?"

When men charge women with prejudice and ignorance, and with being controlled by priests, I am tempted to turn upon them and reply—"Pray tell me, Sir, whose dog are you?" If women follow priests, what priest do you follow? Is it the editor of the daily paper? I am afraid we have in this House some experience of dependence on priests of that kind, who differ only from the more recognized order of the priesthood in this respect—that their principles are not quite so fixed, and that what they are ready to proclaim to-day they are equally ready to denounce to-morrow. Now, as to political danger, there is a notion that if you admitted women to the franchise this same objection to priests would arise. A notion is also sometimes advanced that you would find women voting together, and a most alarming picture is presented to our imagination of the women all going one way, and the men all going the other. I do not think that shows any great knowledge of women. As far as I have had any acquaintance with them, I have found them differ amongst themselves very much as men differ amongst themselves, and if some have one favourite priest others have another; some are re-actionary, while others are very much in favour of moving in advance; and if you have any regard to facts, you cannot allege this rushing together of women in one direction and the men in another. The hon. Member for North Staffordshire (Mr. Hanbury), who has given Notice to move the rejection of this Bill, did, I believe, once vote for it, and I understand that he has explained the reason of his change to be this—that he thought there might be a political danger in the severance of political rights from the possession of the physical power; that, under certain contingencies, you would get women voting in a mass, and, perhaps, out-voting the men, which would cause a rebellion on the part of men, who, being endowed with greater physical power than women, would put down by brute force the people who would out-vote them. I think I do not misrepresent the hon. Member in saying that these were the reasons of his conversion. Now, as I have said, that is a picture of possible danger which is purely imaginary. There is no reason whatever to apprehend it. But more than that. I will venture to say that it is an imaginary picture, only to be entertained when one is in the first stage of reflection on the constitution of political society. It is perfectly true that in the very elementary stages of society physical force directs the order and relation of things in that society. In the very earliest stages women suffered from that fact in those very rudimentary forms of society—which may still be found in some remote corners of the world—where women-children, for instance, are habitually put to death, with certain rare exceptions, and where women-wives were taken by a process of capture and theft just as cattle are in partially advanced communities. But even amongst communities so unadvanced as those, you find the beginnings of law and the inception of reason and justice, without which, in fact, society could not exist; and as society goes on developing in its political organization, the notion of law, and of reason, and of justice gradually supplants, one by one, all these notions of force, until in the end the exercise of force is habitually directed as the resultant of reason and justice requires. And to apprehend any return to the elementary form of society from the advanced form of society is to invite a return to anarchy from civilization. The Constitution, and the rules of the Constitution, are conditions of thought which are the commonplaces of every civilized community, just as in this House the Rules and Orders of the House are things which are so much the standing objects of our thoughts, that we are almost incapable at times of conceiving of their alteration. And, in the same way, if you got society so far advanced as to have admitted women to the suffrage on the ground of justice, you might dismiss as an altogether imaginary fear the notion that there would arise again an insurrection of force formally setting aside the concession made by law. The hon. Member for North Staffordshire is very sensitive about appeals and suggestions that might interfere with the regularity and good government of any Empire. He has recently taken occasion to express his dissatisfaction with the language of a right hon. Gentleman, because that right hon. Gentleman chose to denounce with great energy and vehemence what he thought was the beginning of injustice; and the hon. Member for North Staffordshire appears to be of opinion that it is injudicious to denounce injustice, because you may lead those who suffer from injustice to be dissatisfied with their situation. Now, Sir, if that is injudicious, how much greater is the injudiciousness of those who would suggest to the members of a civilized community a return to brute force in order to overcome the conclusions which you have arrived at by considerations of reason and of justice? Before quitting this part of the subject, let me observe that, although I have been arguing the question very much on *à priori* considerations, it is not, after all, necessary to do so. We have got experience of the operation of woman suffrage. We have admitted women to the vote in the municipalities. We have admitted women to the vote in the election of school boards; and, more than that, we have admitted women to the eligibility of being chosen as members of the school boards. Well, now, have we discovered any personal unfitness or seen any trace of political danger from those experiments? I have made inquiries wherever I have gone as to the result of the experiments as to the admission of women to take a part in these municipal and educational matters; and, with one exception, to which I shall presently refer, the replies I have met with have all been favourable to the experiment. I am told that women take great interest in municipal matters; that they readily come to the poll in about as great proportion as men; that they are very careful in the choice of persons to represent them; that they are known for a strict regard to character; and that one thing they desire to secure is the presence of a respectable and responsible person on the board which is to administer the affairs of the town or the affairs of the school district. I have met with only one exception. One gentleman whom I asked told me that the experiment had not succeeded. I was alarmed. I asked him why—in what particular had it failed? He told me it had not succeeded; that it was not the function of women. Well, I endeavoured to draw him back, to tell me experimentally what had been the proved defects, what were the faults which he had discovered, what were the errors which had been committed. I could get nothing out of him, except this dictum—that it was not the function of women to take any part in public matters, and therefore the experiment has not succeeded. With that single exception, which was no exception at all, the answers I have met with from all parts have been favourable to the admission of women to political privileges. I am not indeed conscious of any political arguments that have been advanced against this question which are insisted upon gravely. But I am aware that that does not exhaust the matter. There are other reasons which are insisted upon against the admission of women to the franchise; reasons which have considerable influence with many persons, and to which, of course, I must address myself. It is said—"After all, the experiment is on a small scale. I do not suppose there will be any danger to Government or the Constitution. Things will go on much as they are at present. Perhaps a little more attention will be paid to the claims of women. Cases in which their interests are concerned will be more sharply inquired into, and so it will be an advantage to admit them to the franchise; but if you do admit them to the franchise you must consider also the effects upon the character and the position of women, and those effects are so alarming and so much to be deprecated, that it is impossible to concede the claim which is insisted upon." I must grapple with that argument, and I do so without any sort of hesitation, because, so far from the effects on the character and position of women by their admission to the franchise being alarming or such as to be deprecated, I believe, on the contrary, they will be such as are much to be desired; and that it will be productive altogether of beneficial effects both on women's character and to society. In the first place, it is undoubtedly true that if we admitted women to the franchise, we should secure to them a degree of independence which many people are now slow to concede to them. We should recognize them as being self-dependent, self-sustaining, and independent members of the community, not bound to rely upon other people, and not necessarily having their existence connected in a dependent way with that of some other member of society. What would be the first effect of that on what I may call the economic position of the question? Is it not perfectly clear that the more you develop in women the idea of self-dependence and self-sustainment, the more certain is the improvement you effect in their economic position? You would introduce into general society a new moral notion that it is the duty of the parents of a girl to train that girl in some measure for a self-sustained and self-dependent existence—to train her so, that under the circumstances of the future she might, if necessary, be able to maintain herself as a boy is now trained to maintain himself. If you get that notion of the self-dependence of women, I shall consider presently at what cost that may be realized; but if you get that notion developed in society, the inevitable result is that you make it an obligation, an element of duty, on the part of the parents, to qualify their children to sustain the part which they will be called upon to take. The immediate effect of that on the economic position of women would, in itself, be a revolution, but a revolution of the most desirable kind. Because, what is the economic position of women now? There are women who earn wages; but, in the majority of cases, the wages of women are wages not for the sustainment of existence, but in aid of existence. Women in relation to the economic world are very much in the same position as the agricultural labourer used to be under the old Poor Law, when it was not thought a necessary part of the organization of society that the agricultural labourer should sustain himself by his wages, but that his wages should be assisted by the poor rates, and the poor rates assisted by his wages. So now, women not having an independent existence, not having thrown upon them the duty and the privilege of maintaining themselves, are remitted to a sphere of work in which what they earn is simply an assistance to means obtained elsewhere, and not sufficient for the sustainment of themselves. Now, if that is a change to be apprehended, that, at all events, is a gain. It may be a gain purchased at considerable loss—that I will refer to presently—but that is a gain, and a gain to which I would ask the most careful attention of those who are opposed to this movement. But now, it may be asked, if you have women thus self-sustaining, and living by themselves, earning enough to live upon and ruling their own affairs, will you not cause an absolute revolution in society? The women and the men will come together then on comparatively equal terms, and you will not have that sweet relation of dependence and support which is the characteristic of the present state of existence. I admit that revolution would happen; but is it a revolution to be deplored? Has not every stage of advance that has been made by woman to the position which she now fills in English society been accompanied with the same fears which are expressed with respect to her future advance? Every stage of advance which has been made has been accompanied with these cries of alarm. When you, in the first instance, gave her any duty, any separate rights, you were met with the suggestion that you were raising a rebel in your household and rending the bonds of society. Take, for instance, the women of the harem. If you suggested to any person in the East to give to women that degree of enfranchisement which obtains in the West, you would be told at once that it would be impossible for society to go on under such a change; that you would no longer have the well-organized society which happens to exist, and that you might expect some revolution. Still, we have gone through that stage, and we find it is a gain. So even now in our social condition in the West. Generation after generation, we have been enlarging the sphere of woman's thoughts, the range of her study, the circle of her ideas, and every generation there have been some people to raise this cry of alarm, and every successive generation has seen it falsified. I am not disposed, Sir, to speak very harshly of these fears. They are exceedingly natural. We all know the conditions of society under which we have been born and reared. We look back with affection to the memories of our infancy and youth, and we feel a very natural anxiety lest anything should be done to change that youthful order of the household, and the social condition under which we ourselves have grown up. In the same way we may look back upon every stage of the development of society with the same affection, and experience the same alarm. But I venture to say, that if the change which we propose could be realized, instead of shrinking from it, we should invite its consummation. Sir, this is like a proposal that might be made in China to enfranchise women from the servitude under which they are supposed to labour from going about with small feet cased in cramped shoes. I have no doubt that if it were suggested to a Chinaman that women should be allowed free play, even in the function of walking, you would get conjured up to your imagination a very fearful picture as to the result of the dependence of the sex in that respect being changed. What can be prettier than the fancy of the woman tottering towards you on feeble feet, until you open your arms and she falls within them to receive the support of your strength? Would not the foundations of society be upset if she could stand alone? That analogy is absolutely perfect with respect to the enfranchisement of women. You have got women in a limited sphere of duty, and with a limited range of ideas. We propose to enlarge that sphere of duty and that range of ideas, and we say that thereby you will make women better instead of worse, and make men better instead of worse also. I ask those who dwell most strongly upon this beautiful picture of the past, to recognize frankly for themselves the cost of that picture. The hon. and learned Member for Taunton (Sir Henry James), who, I believe, first discovered his considerable talents to the House in speaking on this question, dwelt at length upon the magic of home and the remembrances of childhood, which, as he said, might possibly have been cast with women not perfectly educated; and whose lessons, though given in ungrammatical language and with limited knowledge, were lessons which would endure to the end. Perfectly true. But was affection going to vanish if women became grammatical? Is the household god to be destroyed because women have a little larger range of duties? Will the remembrance of childhood and the relation of a mother to a child pass away because you have advanced women in the social and educational sphere? A lady, who has recently written on this subject, has conjured up the notion that if the change which she regards as inevitable is consummated, the result will be that woman will become a loveless creature, a being incapable of loving and of being loved. That must be a wonderful picture; but, in spite of the gravity with which this lady has reproduced it, we may afford to dismiss it as altogether illusory. "Love laughs at locksmiths;" and the notion that you are going to get rid of love because you give women a vote is one that cannot be seriously entertained by any person who has had, I will not say the experience, but even the capacity, of studying the stories of the human affections. The foam-born goddess, according to the old legend, laughed with the easy consciousness of victory, when she stood side by side with Pallas and Juno in the contest for the apple. And I am quite sure that we may altogether dismiss any such effect from this Bill, even if it should become law to-morrow. You will not dissolve society because you give to women the power to vote at Parliamentary Elections; and, as I have said, I ask hon. Members to consider the cost of the limitations we maintain. The narrowness of women's range of ideas is absolutely deleterious in its effect. Our earliest lessons are received from them. Are they not often lessons that we have afterwards to unlearn with great difficulty and pain, and do we not often find a difficulty in freeing ourselves from them, and in emancipating ourselves from the errors of our earliest education? Again, to those who enter into the marriage relations of life, how constantly does it happen that the man's freedom of intellect is a thing kept to himself, that he is incapable of imparting to the woman with whom so much of his life is spent any conception of the range of his thoughts? He does not find in her any companionship; but, on the contrary, he finds her a drag upon his aspirations, and a drawback upon his advance. You may, if you choose, contract the sphere of women's thought, but you may be sure that that contraction will re-act upon yourselves; and in enfranchising women you not only give them a benefit, but you confer a benefit upon yourselves. You may then realize the vision of the poet—

> "To live, and see her learn, and learn by her,
> Out of the low, obscure, and petty world."

The political reasons for granting the prayer of the Bill appear to me to be undeniable; but I confess they are not the reasons why I most stoutly support it. The reason why I urge it upon the acceptance of the House is, that I believe it will develop a fuller, freer, nobler woman, by admitting woman into the sphere of political thought and duty—that by advancing woman you advance man with her. Some of those who hear me may say—"But what is to be the end? We do not see the end to which you are advancing." That may possibly be. I do not know that we are always bound to see the ultimate goal towards which we are moving. If we are moving upon right principles, if we are actuated by a feeling of justice, if the hand that moves above us and leads us on is a hand in which we can place implicit faith and confidence, if the light that is leading us through the encircling gloom is not a snare from the abyss, but one which we can trust with absolute reliance—then, I say—"Trust to that light; follow the hand without fear of the future." Let any man—a husband, father, or brother—consider the case of a young woman or girl committed to his care. You have there a human being of infinite capabilities of mind, body, and soul. Can it by possibility be right to limit the range of the development of that human creature in any way whatever? Will not human society be improved by making the most of her faculties, whatever those faculties may be? She will be improved and you will be improved. The whole community will be advanced, and it is upon that account mainly and principally, that I propose the second reading of this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Courtney.*)

Mr. HANBURY: No one recognizes more heartily than I do the gracious and well-deserved tribute of respect which has been paid by the hon. Member for Liskeard to the memory of Mr. Russell Gurney. There can be no doubt that women had a great advocate in Mr. Russell Gurney, who was desirous of seeing some great and general progress of their welfare. But I do not believe that this Bill is in any way calculated to advance their cause. Before I proceed to discuss this Bill, I wish to make one or two remarks on the change of advocates which has taken place in regard to the advocates of the Bill. I congratulate the hon. Member for Liskeard on having supplanted two such able advocates as the hon. Members for Manchester and Marylebone (Mr. Jacob Bright and Mr. Forsyth). I can only express a hope that this constant change of advocates is not one of the first symptoms of that fickleness which some of us are inclined to associate with female politicians. Of course, I know that the ladies are under considerable obligations to the hon. Member, who was their champion on the last occasion under somewhat peculiar circumstances. I believe that he did them the greatest service he could do by talking out their own Bill. I hope his appearance here today as the proposer of the Bill is a proof that he is going to have the question fairly fought out — not merely talked upon, but put to the test of a division. But I do feel, even although I am freely disposed to discuss and vote upon the measure, that there is some objection to bringing it before the same House, the same Parliament, Session after Session, without any new arguments being adduced, and without any prospect of a change, except one, which would throw further and further back the cause which the hon. Gentleman advocates. It is impossible that anybody who takes an interest in the question can fail to see that, so far from making progress inside or outside of this House, the more it is discussed the further it goes back. Very few indeed approve of the principle as it is submitted to us either inside or outside of the House. Among the women themselves there is no widespread feeling at all. Among all my acquaintances I do not know a single woman who takes an interest in the matter, or wishes to have a vote. One of the things most likely to upset Parliamentary government is to make the vote too cheap. We have found that to a great extent in our system of local government. The great difficulty we have to deal with is that people when they have got a vote will not use it; and I am afraid that if we extend the same principle to Parliamentary government, the representative system of which I, together with the hon. Member, am so proud, will receive a severe blow. The feeling against this measure is increasing, not only outside the House, but inside the House itself. I venture to say there is no question which has ever been submitted to our consideration, upon which you find so many Members changing their minds. I have seen, that I know of, no woman outside who asks for a vote; but I know there are a great number of Members inside the House who will give their votes to-day who, like myself, have entirely changed their opinion on the matter. A few years ago, actuated by a kind of political gallantry, I thought there was no objection in giving women a vote. But, although gallantry originally prompted some of us to vote in favour of this measure, we now feel that the greatest kindness we can do to the women themselves is to refuse them this vote, and put them out of the turmoil and struggle of political life, and not place them in that false position in which they would have to choose between the rights of men and the privileges of women. I appeal to hon. Members who sit on this side of the House to say whether they are to any extent swayed by the idea that this demand made on the part of the ladies would add new recruits to the Conservative cause. Those ladies who would come forward prominently, and give their votes at Parliamentary Elections, are not the ladies who, if returned to Parliament themselves, would be likely to sit on this side. But, whether that be so or not, I am quite sure that in the immediate future this Bill, if passed, would be pregnant with very serious disaster. And, whether we are Conservatives, or Radicals, or Liberals, we must all see that it is not only a measure that would revolutionize society, but that it would do worse than that, for it would entirely decompose it. In dealing with the Bill, there is one very great difficulty I am under. That difficulty arises in this way. It is totally impossible to know what the hon. Member himself means by the Bill he has placed before the House. I would ask him one plain question. Does he, by this ambiguous Bill, mean to give the franchise to married women or not? [Mr. COURTNEY: No.] I am very glad to have that question fairly answered; but I wish it had been answered more clearly in the Bill itself. But, now that I have got an answer, clearly and distinctly from the hon. Member, I tell him that if that is the case, then this is a most disingenuous Bill, for the whole of the speech of the hon. Member was a speech addressed to the wrongs of women. There was a great deal of *à priori* argument in it; but nothing was said about the special wrongs of the women, whose cause he advocates in this measure. We have heard a great deal in this discussion today, and throughout the time the question has been fought, from the very first time when Mr. Mill brought it forward, the question seemed to be entirely fought out upon the wrongs of married women. We have heard it said that the Bill was to redress the wrongs of one-half of the human race, and the answer has been made that those women have not the responsibilities nor the duties which men have, and that they have not the same perils to undergo. Miss Lydia Becker, for instance, met this argument by saying, when it was alleged that women were not exposed to the same perils as men—"As a matter of fact, we understand that the percentage of women who lose their lives in the dangers incident to them in the profession of marriage exceeds the percentage of soldiers killed in battle." I do not see how this argument of the perils of battle or of maternity is to be at all affected if the Bill is not to apply to married women. In order to be consistent and logical, the hon. Member, in supporting the Bill, indulged in arguments which applied to the wrongs of women as a whole. But, when he has to put his thought into practice and place the Bill before the House, the hon. Gentleman does not try to redress the wrongs of women as a class or whole, and as exposed to special perils; but all he does is to bring in a Bill which simply gives a vote to a certain number of well-to-do females. That is all that the hon. Member does, and nothing else. I object to the Bill, therefore, on the ground that it is disingenuous, and also because it is a mere piece of class legislation. It is a Bill which only affects the well-to-do, and which fails to affect the poorer class of women. As a rule, the female voters on municipal matters are persons who belong to the middle and upper classes. [An hon. MEMBER: No, no.] I will read a letter written by a clerk of one of our Southern towns, and I think I may say from my own experience that it is a fair sample of what happens at municipal elections all over the country—

> "We are blessed with about 500 women voters on the burgess roll. I think the preponderance is very large on the side of the middle and upper classes. This arises from the fact that many of the widows of the working class, when the head of the household is gone, content themselves with becoming lodgers, or are excused their rates, or procure the aid of the parish authorities."

The result is, that the only people who would be enfranchised by this Bill are maiden ladies with property, so placed that, in spite of having this charm of property, they have not yet been able to acquire that position which is called—not very gracefully—by Miss Becker "the profession of marriage." Then, again, I contend that a large amount of mischief would be done by giving this vote to female lodgers. Certainly, in our large towns, no one could deny that we should be giving a vote to a class of women who are, perhaps, the least deserving of it. I should like to know, for instance, what would be the position of any hon. Member who represented the district of Pimlico to which I have alluded within the borough of Chelsea? Would not any Member returned for that borough occupy a very extraordinary position in this House? I think the Bill in this respect would do very serious mischief. So far from giving a vote to the best class of women, you would only succeed in giving it to the very worst. When we are told that the wrongs we are to redress are the wrongs of the married women, we cannot fail to see that a vote given to women of this kind would work in a most mischievous way towards upsetting the present position of the franchise. Miss Lydia Becker herself says this. She does not mention specifically either married women or the other class to which I have referred; but she says this, and it seems to bear upon the question—

> "Every extension of the franchise to classes hitherto excluded lowers and weakens the status of the classes which remain out of the pale."

So much for the question of natural right, on which the hon. Member laid so much stress. [Mr. COURTNEY: No, no.] Then I have much misunderstood the argument. I should like to know where he gets his natural right, which denies and refuses to the best of women and the flower of womanhood a vote, and gives it to those who are the bane of society? I should like to know under what natural right he comes forward and says that women are to vote, but are not to sit as representatives? Where is the difference? How does natural right work there? From what strained source does the hon. Member derive this doctrine? If you go back to history and expediency, it would seem that women have much more right to sit in this House, apart from the turmoil of politics. If you look to their weakness and to their sensitiveness, you will see that they are much more fitted to sit in this House than to engage in the turmoil of public life outside. The very people who support this Bill are fond of appealing to history to show the great deeds women have done; but they must bear in mind that it has been in the position I have pointed out—from the serene dignity of the Throne—and when they have been shut out from the actual strife of life that they have shown their capacity for ruling. We are willing to admit that, because our case does not rest upon the intellectual inferiority of women. The whole of our case rests on three things—first, feminine weakness; secondly, the difference of sex; and lastly, the temptations to which women are exposed. It is a remarkable fact that in this Bill the women who are to be enfranchised should be women who are not married, and that the women alone who have wrongs should be the married women. Why, under these circumstances, is the vote denied to them in the Bill? It is the most inconsistent Bill I ever heard of. It is simply a Bill to give a vote to people who have no wrongs to redress, while it passes entirely over those whom you say have wrongs. The hon. Member said a great deal, no doubt, about representation. But the women are not unrepresented at this moment. Their interests are the interests of men. They do not stand on a different footing from men. If a husband punishes them, or a question arises as to the property of married women, they have brothers and other relations who will advocate their cause; and, further than that, when the hon. Member spoke of representation, it was not an English idea of representation which he had in his mind, but rather that which exists in America. It resolved itself into a question of delegates—of having every class a delegate. Every class, and trade, and interest is, I suppose, to have a separate representation. So far as interests are concerned, I cannot for the life of me see where, in the whole of the speech of the hon. Member, he succeeded in pointing out how the interests of women are opposed to those of men. He failed to make out any case either on the ground of natural right or natural wrong. When I speak of wrongs, I am reminded that, in the course of the present Session, there was a case in which a complaint was made. A Bill was brought forward early in the Session—I believe by the hon. and learned Member for Durham (Mr. Herschell)—in which he wished to do away with actions for breach of promise of marriage, and I find that an interesting Petition against that Bill was presented by the ladies. Their Petition is really interesting, as showing the one grievance which, as far as I have been able to see, they have yet been able to prove. The Petition runs as follows, and it expresses peculiar notions about marriage itself:—

"The humble Petition of the undersigned showeth—That marriage is the natural and honourable profession in which the majority of women maintain themselves by the discharge of the conjugal, social, and domestic duties which appertain to the position of a wife. That the entrance on this profession comes to a woman through an offer or promise of marriage. That the acceptance of such offer or promise debars the woman from forming other ties, and the breaking or non-performance of such promise hinders her from obtaining an establishment in life, inasmuch as a woman who has given her promise and affections to one man cannot transfer them to another without grievous loss. That the law guards the rights of contracting parties by annexing penalties to breaches of contract, or by providing compensation when one of the parties suffers through the default of the other. That it would be highly injurious and inexpedient to lessen the sense of the binding nature of a legal promise by permitting promises of marriage to be broken with impunity. That men do not usually marry for a maintenance, while marriage is regarded as the proper and usual means through which women obtain a maintenance; therefore, a breach of promise of marriage by a man to a woman causes a pecuniary loss which is not usually suffered through a breach of promise by a woman to a man. That the proposal to abolish actions for breach of promise of marriage would deprive that section of Her Majesty's subjects who are excluded from representation in your honourable House of protection against the wrongful acts of those who have a monopoly in making the laws."

Now, there is no grievance which this House, which has a monopoly of doing wrong, is not always anxious to redress. Women hold property, and therefore it is said that property should not be unrepresented. That is a good argument, no doubt. I do not think that property is sufficiently represented; but we must look at the facts as they are. How does the matter stand in regard to the representation of property? In all our local government—in the election of Guardians, for instance—and in all matters where property is most nearly touched, where it has to bear a number of burdens, and where taxation is really almost the whole duty of the body elected, property has its full influence. The owner of property may not only give one vote, but possibly may give 12, if he has a large property—six as occupier and six as owner, making 12 altogether. In a case like that, where property is actually represented, women have votes already; but in Parliamentary Elections, I am sorry to say, property has very little to do with it. The greatest Peer in the land, for instance, has not a vote at all. A man may have 50,000 acres of land, but he has only the same vote as a man who lives in a lodging. Therefore, the question of property has really nothing to do with the matter. What you do find is this, that property is a qualification, but it is only one out of several others. An appeal has been made by the hon. Member for Liskeard to the principle of taxation without representation. As a matter of history, the people who raise that cry are utterly mistaken. It was originally raised by Lord Chatham as a grievance of the American Colonists, and it had reference to people who were outside the country altogether, and who did not live in the same homes and with the families of those who were already represented. Such people were in a wholly different position from that occupied by these women who live in the same homes, and have so many interests in common with those who are already represented. Every man pays taxes, either directly or indirectly, and yet how many are there who have no direct voice in the representation? Therefore, I do not think that argument ought to have much weight. What are we taxed for? Is it not for the purpose of protecting our property and our persons; and are there any people in the world who derive more benefit from this taxation than the women? Then comes the further question raised by the hon. Gentleman with reference to the franchise. We are told that the vote has been already given to women in many local matters. Indeed, the concession, it is urged, has gone to the extent of conferring upon them the municipal franchise. For my own part, I do not place much faith in these arguments by analogy. Some people, if they have made two mistakes, wish to make a third in order to be consistent. I think we have gone too far in giving women the municipal franchise; but, even supposing we have not done wrong in granting it to them, there is a great difference between a local franchise and the general franchise which it is sought to give to women now. No doubt in the boroughs women who are largely interested where property is concerned have a vote, and I do not know that they use it badly; but there is nothing like the same excitement about those elections that there is about Imperial Elections. Women are not there thrown into the turmoil and bitterness of public life that prevail in General Elections. Again, at General Elections, there arises the great question of the defence of the country, to which women contribute in no sort of way; and it certainly seems to me that the responsibilities and the rights of citizenship ought to go together. Since the franchise has been so largely extended, we have introduced almost too much sentiment into our political life. The masses are now too likely to be swayed by a great orator and to be at the mercy of empirical statesmanship. We are placed to a great extent at the mercy of mobs, and that danger would be greatly increased if women were added to the number of our voters. I do not think that on either of these grounds the hon. Member for Liskeard has made out his case. This, however, is not a question of rights or wrongs, of property or taxation, or anything of that sort. It is simply a question of expediency. I think the fact cannot be denied that Government rests in the last resort upon force. I should like to know what has been the result even of recent additions to the franchise? Can the hon. Gentleman say that it does not rest the Government more and more upon force? Was not the franchise extended to these people partly, perhaps, because they were deemed fit for it, but chiefly because it was thought that the great force of the country should also be the governing force of the county? We cannot get over the fact that force is at the bottom of all government. The hon. Gentleman has represented modern civilization as a Utopia, which I do not believe it to be; but government rests in the last resort upon force, and the women whom the hon. Gentleman wishes to enfranchise do not contribute to that force by maintaining order at home, or by defeating the enemies of the country abroad. All the advantages women possess they obtain by reason of their weakness. If we are to carry out the principles of the hon. Gentleman to their logical conclusion, we should produce those results. In the first place, we should have women competing with men in every condition of life. They might compete, no doubt, but it would be impossible to get rid of the two differences I have mentioned—the difference of weakness and the difference of sex. I candidly believe that the mere fact of women competing with men would deprive the former of many of the privileges which at present gallantry, courtesy, and consideration always extend to them among all classes of the community. We all know from our own experience that the more women try to imitate men and to compete with them, the more does our respect for them gradually diminish. On the other point I will only touch very lightly; but I must say I do not think there would be any great gain to the morality of this country if we were to have this constant confusion of the sexes. The present measure owes its existence partly to the increasing rarity of marriage. That question has been very ably argued by the lady to whom the hon. Gentleman alluded, and she says that this very Bill, and the course of conduct pursued by the ladies who support it, will not merely stereotype the present evil, but will do much towards greatly magnifying and extending it. After all, this question is mainly one of expediency. I believe that in the interests of women themselves this Bill would be the most mischievous that could be passed. On behalf of 99 women out of every 100 in this country, I declare that the Bill is one of the most disadvantageous and most mischievous to them that could possibly be passed into law. A vote is a small thing in these days, when almost every man possesses one. Indeed, it is almost a mark of distinction now not to have a vote. But, although a vote is a small thing, the granting of it to women implies their mixing themselves up in public life, fighting in political struggles, and sacrificing the privileges of women, in the vain hope of gaining gradually the rights of men. Therefore, a vote, while a small thing in itself, does in reality represent great mischief. A great deal has been already done, and much remains to be done, for the advancement of women; but their cause would be best advanced if they made better use of the sphere now open to them; and in the medical world, in the matter of education, and in other respects, they might gain the day. But the granting of a vote of this kind has nothing whatever to do with the question. All the grand ideas which the hon. Member for Liskeard advocated throughout his speech had nothing whatever to do with the giving of a vote to women. The advantages which the hon. Gentlemen referred to might be gained equally well without it. If we did give this vote, we should open the door to all the mischiefs he has described; and, in the interests of 99 out of every 100 women in this country, I sincerely hope that this measure will be rejected. Sir, I beg to move that the Bill be read a second time on this day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Hanbury.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. G. PALMER: The sentiments expressed by the hon. Member for North Staffordshire have excited in my mind the thought that I shall do right in taking part in this discussion. I understand the hon. Gentleman to say that the strength of women consists in their weakness, or something of that kind. That argument is contrary, I think, to the facts with which most hon. Members are acquainted. We have all found out that the weak are those who are oppressed, and that those who are able to help themselves are taken care of. This rule, I believe, applies to the interests of women. The hon. Gentleman opposite seems to be afraid of the further extension of the franchise, which, he says, is already too wide; and he appears to think that England would be better governed if we reverted to the days when the franchise lay in the hands of a few, a majority of those few belonging to one class of society. As arguments against the Bill are drawn from the possibility of women of a low type having votes and influencing elections, it is only fair to remind the House that at present there is no difficulty in finding men who have votes and whose moral qualifications are of an exceedingly low character. Therefore, it is unfair to bring forward against the advocates of this measure the charge that they would place on the electoral roll women lodgers whose moral character might be such as to unfit them entirely for that position. The men are already there. The Legislature has never allowed a moral qualification to enter into the question of the fitness of individuals to be placed on the electoral roll. As the hon. Member opposite represents a county perhaps he may not be very well acquainted with the operation of the law which puts women upon the municipal roll. I have never heard in the borough which I have the honour to represent that the least harm has resulted from women having votes. I do not know that the elections in the borough have been materially influenced by the women whose names appear on the municipal register. What I do know is that women go to the poll and vote without the least difficulty; and I never heard anyone suggest that women were injuriously influenced by voting. I consider that thus far we have lost sight in this debate of two or three reflections which were thrown out by the hon. Member for Liskeard (Mr. Courtney). In my opinion those considerations ought to be kept in mind, as they have a very important bearing on the subject. The granting of votes to women would be mutually beneficial to all classes of the community. I remember perfectly well the case of a widow who was left to rear up a large family. She was the occupier of a considerable portion of an agricultural parish; she acted as overseer of the parish; and, probably, she was the most intelligent individual in the parish. Yet she was disqualified to vote simply because she happened to be a woman. The great object to be kept in view is good government. I do not think that when this question of women's disabilities is under discussion the House ought to run away into questions affecting female weakness, and their liability to be tempted by men. The question at issue is, what is the best thing to be done in the interests of the country? Women, I believe, would promote their own interests, and those of the community, if they had a legitimate voice at the Parliamentary elections, instead of having, as at present, only indirect influences. If they had votes, and if their names were placed on the register, their right to discuss political questions would be plainly acknowledged. At present they influence those questions as a matter of courtesy. I venture to believe, however, that women ought to be allowed to have a direct and legitimate voice in the election of Members of Parliament.

MR. SMOLLETT: Mr. Speaker, I desire to say a few words upon the Bill now before the House. Upon former occasions, when I have had an opportunity of speaking on this Bill, it has been observed that I treated a grave subject with great levity and coarseness. At all events, to-day I shall not repeat anything that will bear misconstruction, and I shall be perfectly serious. I deny explicitly, in the first place, that I have ever said, as some hon. Members will say, that women are unfit to have political privileges because the sex is to some extent emotional, impulsive, and sometimes hysterical. I have never made any observations of that nature, and I do not think it is a proper way of stating the question. I have never said, either, that ladies are unfit for the exercise of political rights because they are in many instances, through life, led by priests and parsons; but I have always assailed the Bill before the House as a mischievous Bill—as a Bill badly drawn, and as a Bill which purposely evades the real question at issue which it attempts to settle. Nevertheless, into whatever hands the cause is intrusted—whether it be confided to the tender mercies of the hon. and learned Gentleman the Member for Marylebone (Mr. Forsyth), a nondescript politician, who sits on the Conservative side of the House, or whether it is by him handed over to the Radical Member, the Representative for Manchester (Mr. Jacob Bright), who sits on the other side of the House, or whether the Bill falls by its own gravity into still more incompetent hands—the measure is presented to us with the same face and in the same guise, without the alteration of a single word or a single letter. Now, Sir, in my opinion, the Bill would be unintelligible to the uninitiated but for its title. The title seems to imply that the object of the promoters of the Bill is to remove all the disabilities under which women labour, to bring feminine assurance, or feminine influence, to bear directly upon that political life from which ladies have been debarred from the commencement of the world. Now, if that be the object of the promoters, it is done in a very imperfect manner. The promoters of the Bill tell us that it will place upon the electoral roll, as it is at the present moment, something like 350,000 or 400,000 fresh names, and this whilst the franchise is restricted; but if household suffrage is to be extended to the counties, then, I presume, a Bill of this nature will place upon the electoral list at least 1,000,000 fresh names. Now, assuming this to be the case, my contention is that this huge Reform Bill, this great Reform Bill—dealing, as it does, largely and widely with the franchise—is a measure which, in my opinion, ought to be placed in the hands of a responsible Minister of the Crown—a Minister having a good mechanical majority at his back. A measure of this nature, so great in its character, ought not to be managed by a coterie of ladies out-of-doors, or mismanaged in this House by Members of no political weight, Members sitting below the Gangway and acting independently of each other. What, then, ought to be done? In my judgment, the promoters of this Bill ought to drop it. And if they be so advised, they should bring it forward in some future Session by way of an abstract Resolution. That abstract Resolution should describe the principal grievances under which the sex labours, and should call upon the Government to relieve womankind of those grievances at the earliest moment, and in the fullest possible manner. The ladies tell us that their cause is a great one. They state that it is one that is not to be snuffed out by levity nor trampled out by opposition. They say that their great cause will be persevered in until right be done. The ladies tells us that they have champions of the highest intelligence in the country; that they have, for example, as an advocate in this House, a man to whose sober judgment the cause had commended itself—the Chancellor of the Exchequer. Now, the Chancellor of the Exchequer is the Leader of the House, and great weight is attached to his opinions in this House. The ladies say, also, that they have a most redoubtable champion in the Upper House in the person of Lord Beaconsfield. Now, who is Lord Beaconsfield? The Earl of Beaconsfield is a gentleman whom his ignorant detractors out-of-doors declare to be the Mephistophiles of England—a person who, by his enchantments and fascinations, holds both Houses of Parliament enthralled, and who, by means of these devices, carries out at home and abroad a policy hateful in the eyes of Heaven. But that is not all. The ladies tell us they have a convert in that versatile and voluble statesman who sits on the Opposition benches—the "People's William." No doubt, the right hon. Gentleman the Member for Greenwich is still a great power in this country. He wields at his will a portion of the Democracy, and all the Nonconformist Bodies worship at the feet of this Gamaliel. Well, how is it that this cause of the women is not making progress in this country? The cause of the women would be safe if these Gentlemen would act together, and if they were earnest and honest in their political life. But I see no appearance of honesty or earnestness in their political life. Certain it is that the Gentlemen of the House of Commons, who are supposed to be the great champions of the cause, never put in an appearance at these debates. They treat these Wednesday exercitations as political impertinences. Certain it is that if one-tenth part of the energy which has been wasted in an insane crusade to obtain through Holy Russia civil and religious liberty for benighted tribes in Europe had been devoted to this cause of the ladies of England it would have been greatly to their advantage. But a great deal of apathy and indifference reigns throughout the House, and out-of-doors the cause is brought into ridicule in a manner that I need not stay to discuss. Now, what about the Bill? I have already stated that this Bill is a very mischievous one, and made perplexingly vague in order to evade the cause which it professes to sustain. The Bill has no Preamble. The Bill announces no principle, and yet there is a very great principle underlying this Bill. It has, as I say, no Preamble, and the reason why it has no Preamble is very clear. It was almost impossible to make a logical Preamble to such a foolish Bill. The Bill describes no grievance from which the sex suffers, and it endeavours to remove none. The only matter with which it deals is that of registration, and that it deals with in a very imperfect manner. The Bill runs to this effect—

> "Be it enacted, that in all Acts relating to the qualification and registration of voters, or persons entitled to vote, or claiming to be registered to vote in the election of Members of Parliament, every word importing the masculine gender is to be taken as including females, for the purposes of registration, any law or usage to the contrary notwithstanding."

Now, what is the meaning of those words? The Bill deals with registration; but what about the votes when the ladies are registered? I ask for information. Can a woman go before the returning officer and give the names, as candidates, of persons whom she thinks will best represent her interest at an election? And can those persons so nominated be females? If not, why not? The hon. and learned Gentleman the Member for Marylebone (Sir Thomas Chambers), who, in 1875 and 1876, brought forward the Bill in this House, used to tell us distinctly what was his view, and what was the object of the Bill in his hands. He said the object of the Bill was to promote the interests of widows and of unmarried women—women living in a state of enforced celibacy, and that if he could obtain for them the privilege, once in three or four years, of putting, by way of solace and consolation, a paper into the ballot-box, there would be an end to the whole transaction. The hon. and learned Member used to say that the Bill was so simple and so insignificant that he thought we might pass it without hesitation. The hon. and learned Gentleman used to say that he was extremely opposed to any married woman being admitted to the franchise. A married woman, if honest, might be called through election by grace to a better life; but the hon. and learned Gentleman the Member for Marylebone contended that no married woman should ever have the right to interfere in a metropolitan election in this life. Now that is a very strange doctrine to hold. In my opinion, many married women would be put upon the register as the Bill now stands. If I remember rightly, five or six years ago, when a similar Bill was introduced in the last Parliament, there were some words which said that women must not be permitted on any account to vote, but those words have been deleted. I shall not pursue this part of the subject further, except to state that the Bill, in my judgment, has been made obscure for a set purpose. I contend, also, that any Bill which professes upon this point to bring within the pale of the Constitution unmarried females, and which is so worded as to exclude women and to disenfranchise them when they shall obtain the high and coveted position of a British matron, is a Bill mischievous in its conception, and is a measure which it is very discreditable that Members should every year bring forward in this House for serious discussion. Now, Sir, a word about the cause of the ladies, which is altogether thrust aside in this Bill. I have never heard, in this House, the rights of women as they are defined by themselves at public meetings under the agitation now going on in this country, discussed or debated except on one occasion, in 1876. The Gentleman in this House who spoke at large upon the claims of women, and their demands upon the Legislature, was the right hon. Gentleman the Member for Birmingham (Mr. John Bright). We all know that he is a great supporter of the extension of the franchise; but the Member for Birmingham said he would not accept or look at this Bill, as a means for extending the franchise, because the measure had a higher aim, the aim being the exemption of woman from the tyranny of man. Now, the women, to do them justice, never conceal what their real aims and objects are. They tell us their demands explicitly at public meetings, and they recount them in the drawing-rooms—for that is a very favourite mode of agitation—where they drink tea and noyeau—meetings at which the hon. Gentleman the Member for Liskeard so ably presides. They tell us what they want—they want a plain recognition of the complete equality of the sexes, male and female, in all matters political before the law. They declare it is a case of gross oppression to debar a woman, because she is a woman, from competing with men for the possession of every office of the State, in public, in professional, and in political life—for places, in fact, which men are at present supposed to be alone competent to fill. They point, in their harangues, to our Most Gracious Majesty the Queen, and they say that she, a woman, holds the highest offices in the State; and they ask for a response to their question why they are prohibited from holding any office in the State higher than that of a Maid of Honour, a Lady of the Bedchamber, or the like? These are very plain questions, and very plain statements, and anyone can understand them; and it is not easy to give an answer logically to these demands. Such demands, in my opinion, ought to be conceded if they be reasonable, and if the sex, as a rule, demands them; for judge what would be the position of this country, if the larger portion of the women were to revolt against the men! Why, the consequences would be too awful to discuss. Now, these demands are not made by ignorant women, or by women without education. They are deliberately and earnestly put before us for acceptance by ladies of the highest culture and position who take part in this agitation. For example, last year a lady of the highest social position gave the countenance of her illustrious name in aid of the cause—the Lady Anna Gore Langton. This distinguished lady, in many letters addressed to the public journals, declared that this was a great cause—a cause which she was satisfied must triumph, because she said she was old enough to remember the triumph of a measure similar and analogous in its nature, which, after a great deal of agitation, was brought to a successful close by a relief Bill in 1829. What was the cause that is stated to be analogous to this? It was the great Catholic Relief Bill. Now, what were the demands of the Roman Catholics in those days? for I fully admit that the claims made by the women are analogous to the claims made in the great Catholic agitation. The Roman Catholics did not ask for the franchise in 1829, because they had it; but the Catholics of that day felt themselves to be politically powerless, politically impotent, for, although they had the franchise, they had no possession of any of the loaves and fishes. They asked, and very properly, that such of their body as were Peers should have a right to seats in the House of Lords, and to take part in the discussions of that august Assembly. For the laity and gentry of the Roman Catholic community, it was demanded that such of their body as should be elected to represent constituencies should have the right to seats in the House of Commons, and to take part in the debates—it might be in all the wrangles—that have made this Assembly notorious. But they demanded a great deal more. The Catholics said they were excluded, by reason of their faith, from holding many of the highest positions in public and political life, and they demanded to be put on an equality with Protestants, because they conceived they had equal intellectual attainments, and because they were loyal subjects of Her Majesty. Well, those claims were conceded; but will anyone tell me that those six lines of the Bill I have just read are on all-fours with the Roman Catholic Bill of 1829? The matter is too ridiculous to merit any refutation or argument. If, therefore, this cause of the women is to be taken from independent Members, and is to be treated in the future by a Minister of the Crown, it must be dealt with in a manner very different from the way in which it is being treated in this Bill. If it is considered to be analogous to the Roman Catholic Bill of 1829, then Peeresses, by creation and descent, must be declared competent to take their seats in the House of Lords, and married women, equally with single women, must be allowed to vote at elections for Members of this House of Parliament—nay, they must be made eligible to sit in the House, if elected. Women must be required to fulfil all the duties of private citizens. I do not say they should be required to take commands in the Army, Navy, or Marines, but they might fulfil all the duties of civil life. They must act as magistrates, and sit on juries, and the like. If this system is a reasonable system it ought to be conceded, and this House of Parliament is the proper tribunal to decide whether these things are reasonable or not. I do not say whether they are reasonable or not, because these claims are not before us in this Bill, which is a ridiculous Bill. When these claims are before us, I will give my vote on the matter. Now, in conclusion, I will say a few words on the way this cause is managed out-of-doors. There is, at Manchester, a newspaper published solely in promotion of the rights of ladies. It is called *The Women's Suffrage Journal*, published once a month, and edited by an accomplished and fascinating lady, Miss Lydia Becker. I have been told she is fascinating; I have not the pleasure of her acquaintance. On the first of every month there is put in a conspicuous page the names of a number of women who, during the preceding period of 30 days, were assaulted, sometimes brutally, by their husbands. These cases are enumerated first to show that under the Reform Bill of 1867—the "leap in the dark" Bill—some great ruffians have been put on the register by that Bill. But it is not proposed by the editor of that journal that that Act should be repealed. She says the women who are assaulted ought to have votes; but this Bill does not attempt to give them a vote. It does not deal with married women. Miss Becker has recently discovered that there is in England at this moment a modified slave trade. She says, in fact, that in the land we live in women are bought and sold, and the law takes little or no cognizance of these transactions. Now, I have heard from my earliest youth, and I believe it to be a known fact, that many young girls of tender but of marriageable age are sold by their mothers to wealthy suitors. I believe that arrangements of this nature are not unknown in the highest, in the lowest, and in middle life. Robert Burns, a poet of Scotland, whose poetry is much cherished by the people, because his poetry is true to nature and to life, makes one of his heroines in lowly life, who had been so disposed of in marriage, say of her mother—

> "Bad luck to the penny
> That tempted my Minnie
> To sell her poor Jenny
> For siller and gold."

But it is not the sale of women at the matrimonial market that lacerates the heart of Miss Becker. She complains that women are sold by their husbands, and that the law does not interfere to punish them. A few instances are given of this in *The Women's Suffrage Journal* in the issue of February, 1877. The first case is that of a Mr. and Mrs. Henley, who lived at Leigh, in Lancashire, and who resided in Thomas Street. Mr. and Mrs. Henley were a young couple. The husband was 22 years of age, and the lady was very attractive. Henley complained one day in a public-house to a companion called Hayes that he had married too early in life. He was ambitious, and wanted to push his fortune in the world without any drawback. Mr. Hayes sympathized with him. The two went to Thomas Street, and had an interview with the lady. Terms were arranged and put in writing. Hayes undertook to protect Mrs. Henley in future, together with her infant child. He took also the lease of the house, and Henley, in devotion to his friend, made him a present of a pigeon cote and some doves, and clenched the bargain for 5*s.* Then follows the story of the sale outright of a woman named Sarah Tyrer for a small sum. She was the wife of a bargee. The man who purchased her was in the same line of life. His name was Carrington. He paid 18*s.* for Sarah. He paid for the woman in her presence, and took the article he had purchased home with him. They spent the night pleasantly together. Next day Mrs. Sarah Tyrer went out for her wardrobe, but never came back again. Then the purchaser found out that the roguish couple had cheated him out of 18*s.*, and were carousing together upon the proceeds of the sale. He went to a magistrate, who ordered him out of Court. Now, why are these racy stories published in a journal? They are given ostensibly to show that if womankind were introduced to political life the sex would be elevated, and vice would disappear. But that is simply nonsense. Any cause is discredited by arguments like these. When we see, then, a measure of great public policy supported by literature like this out-of-doors, and when we see the cause of the redemption of women advanced in this House by a Bill, the main object of which is to declare that marriage is an absolute disqualification in women to the rights of citizenship, the whole question seems in the hands of its promoters to be treated as if it was an arrant sham.

MR. SERJEANT SHERLOCK: Mr. Speaker—Sir, the position of this Bill has been noticed at considerable length by the hon. Member for North Staffordshire (Mr. Hanbury), and I think it is impossible to deny that the present state of the law in reference to the electoral franchise is inconsistent and contradictory, and I will say unjust. The hon. Member for North Staffordshire has told the House that, in his opinion, every man almost now has the franchise. The franchise was originally intended to represent the property of the country; but successive Governments thought it right to increase, and increase largely, the electoral franchise to men. We have it extended to household suffrage; we have it extended to the lodger vote. At first we had property and education represented. Now we have property without education represented; and possibly we have education without property represented. We have the household franchise, representing the minimum of property in England, except, perhaps, the lodger franchise. In the lodger franchise, so far as property is concerned, the lodger's property is represented by his portmanteau, and his education is represented by his newspaper. The hon. Member is right in saying that almost every man is entitled to the franchise. But whilst the franchise is thus extended to men, the female possessing £10,000 or £20,000 a-year is not entitled to have a vote. That appears to me a gross anomaly; and, without professing any chivalrous object, I would put it on the ground of common sense, if property is represented by men, is it not unjust to exclude that representation when a woman happens to be the owner of the property? She has for all other purposes to discharge the duties connected with the property. She is subject to taxation. She has the privilege of paying her taxes without having the right to impose them. She cannot propose any Representative in this House, nor can she legally support him by her vote. But where taxation is local, as in municipal institutions, and as in the Poor Law, and where the education question arises, the female is allowed to vote. And permit me to say these local questions frequently cause just as much local interest and excitement as the larger elections of Representatives where women are precluded from exercising these rights. The hon. Member for North Staffordshire justly said that he thought the law had probably gone too far in prohibiting women from the franchise; and that if they had the right to elect a Member of this House he did not anticipate any of those evils which were supposed to arise in these contests more than in any other. Reference has been made by the hon. Member for Cambridge (Mr. Smollett) to the concession of Catholic emancipation. Anyone who looks back to that time will see how the prophets of evil predicted what would be the results of that measure. What have been the evils that have followed from it? The prophets who indulged in these lugubrious anticipations have been disappointed. While the exercise of these minor rights are denied to women, the Constitution of this country gives to Her Most Gracious Majesty the highest and most responsible position in this realm; and contrasting the reign of Her Majesty with that of many of Her predecessors, it is undeniable that the comparison is one most favourable to the prudence, wisdom, and energy of the female mind. The hon. Member for

North Staffordshire has quoted various pamphlets and various newspapers. It is very easy to take a few extracts, either from pamphlets or from newspapers, and then to comment on these isolated passages; but how is it that for a year past the hon. Member for Cambridge, who appears to read this Manchester paper, has not been able to find a single passage from the 1st of February, 1877, until the present date, on which he can lay his finger? I have not perused that journal with the same assiduity as the hon. Member for Cambridge; but if I had known he was going to quote it, I should probably have found much that would have been an answer to the attack which he made, and that would have furnished admirable arguments in support of this Bill. It is conceded that by this Bill it is not intended to give the franchise to married women. I remember on a former debate, when many Members, including the noble Lord the Postmaster General, who is a supporter of this measure, stated that that was their view, and I may say that is my view also. It must be a matter of great satisfaction to see the interest taken in this matter, the Treasury Bench being now unoccupied. I venture to say no usual occupant will vote against the measure. The limiting of the Bill to widows and ladies who are not married is perfectly intelligible. It does not endanger the domestic arrangements and the harmony that ought to exist in a family. If one were to give to the wife a vote and to the husband a vote, it might tend in many cases—it might tend in all—to the interruption of that harmony that ought to exist between them. Therefore, the exclusion of married women is right and legitimate; but in the case of an independent lady, who exercises all the rights of a proprietor, why she should not be represented in Parliament, and why she should not select her own Representative, unless we can show that some evil results would come from it, is to me unintelligible. But then it is said if you follow this logically, you must give to women all the rights that men have; that they must sit here and in the House of Peers, because you have conceded to them the right to choose a Representative. Now is that so? Reference is made to priests and parsons. I am not going to say anything against that very respectable class. Yet they have the right to select a Representative, and cannot sit in this House. There is a line between the right to select a Representative and being a Representative. Clergymen are excluded from being Members of this House. Yet they exercise the right of electors, and do not claim the more important right of being themselves Representatives. Therefore, there is no anomaly in giving females the right to choose a Member to represent their interests without having the right of being themselves Representatives. As to female lodgers being an objectionable class, an hon. Member spoke of the female lodgers in Pimlico. I am not so well acquainted with them as he is, and I do not know what he means. There are objectionable persons in all classes. There are many whom we would not select as our companions; and when the franchise includes every man in the community, there will be a large number of persons included in that category who may be very objectionable. The hon. Member for Cambridge has again referred to this Bill as being a foolish Bill, and as being a disingenuous Bill. It has, at all events, the advantage of being a short Bill. If it had been drawn through the intervention of Members of my Profession it probably would have been, if not more lucid, a little longer. It has, at all events, the advantage of brevity. It is said that it has not in terms excluded the married women. If there be the slightest doubt on that subject two words in Committee will set that matter right. If there be any question about it, that may be urged in Committee. The principle for which we contend has been fully stated by the hon. Member who commenced this debate. I need only add that I think it is an anomalous and unjust position in which women are placed; and I cannot doubt that, whatever opposition is shown now, in some future day this measure, or one analogous to it, will be carried.

MR. BLENNERHASSETT: The hon. Member for Cambridge (Mr. Smollett) has asked, "Who is Lord Beaconsfield?" Lord Beaconsfield is a person who once said that critics are those who have failed in literature and art. Critics do not usually place their works side by side with the works they criticize. The hon. Member for Cambridge has not observed this caution; but he has failed either to answer the arguments or to rival the eloquence of my hon. Friend the Member for Liskeard (Mr. Courtney). The hon. Member for North Staffordshire (Mr. Hanbury) complained that this Bill was brought forward Session after Session, and that the same arguments were used. The same arguments must be used on one side, because they have never been answered; but I venture to say that the repetition on the other side has been far more striking. Many arguments have been brought forward against this Bill that have only the faintest concern with it. The very few arguments which really apply have been pressed in this debate, as they have been pressed in debates every Session, with praiseworthy regularity. These arguments remind of nothing so much as the 10 men who represent the "Forty Thieves" on the stage by passing over and over again. In every discussion when the question of the franchise arises, we hear a great deal of various theories of representation. We have not been favoured with many of these theories; but we have had many theories of the home duties of women, of the difficulty of women becoming Members of Parliament, or of their going to fight in battle, and so on. I cannot help thinking that the reason of this is, that every one of those theories, if pursued to its logical conclusion, would supply an argument in favour of the Bill. There is, first, the theory, often advocated on the other side, that property should be represented. The only reference made in this debate to that theory was by the hon. Member for North Staffordshire. He said that, in fact, this Bill would mainly enfranchise a few rich women. A few minutes afterwards he said that property was insufficiently represented in this House. The hon. Member went on to refer to the principle that representation and taxation go together. He made little of that principle, and seemed to attach no importance to it. Is it not a fact, that the women who claim to be represented under this Bill pay a considerable proportion of this taxation? It has been said, in many debates on the franchise in this House, that intelligence and education should be represented. I want to know, are there no women whom that principle would admit? It is also said that this House should be the reflex and mirror of the nation. If that be so, why should women be excluded? There can be no greater anomaly than the exclusion of women who possess every qualification the law demands. We are told by the hon. Member for North Staffordshire that this is a revolutionary proposal. Yet women belong to that section of the community who are most attached to old institutions and national associations, and would be the last people who would be disposed to work a revolution in the Constitution of the country. Then it is said if the enfranchisement of women does not work a revolution in the Constitution of the country, the granting of the franchise will work a revolution in the constitution of women; that the performance of the simplest duty of the franchise will transform women into political nomads; that their going to the polling-booth for a few minutes in every four or five years will entirely destroy the refinement of the women of England. These absurd fears remind me of nothing more than of the well-known story told of Sidney Smith, at a time when some change had taken place in Party politics. Sidney Smith wrote to a friend, and said he understood the event had excited such consternation that he began to be afraid that the laws of nature were suspended; and it was only when he had sown some mustard and cress in his garden, and it began to come up, that he saw things were going on pretty much as before. Then, it is said that women do not care for the franchise, and do not desire to possess it. I am sorry to say that a great many ladies, who have never given this subject a moment's attention, are ready to laugh at those who, after careful consideration, have felt themselves bound to support this movement. The women who speak lightly of this measure are not those who are likely to be affected by it. It is not the rich and idle who want the franchise. It is not those who have every luxury, and who have every wish gratified. Those are not the women who feel the want of the franchise. But we must remember that there are thousands—I may say millions—of women in this country who have to go out and fight the battle of life as best they can, and to earn their bread by the sweat of their brows. You speak of home duties! But what is the use of speaking of home and family to thousands of women to whom home and family are impossible? There are in this country thousands of women of that kind, and it is ridiculous to ignore their existence. Poets may talk of women as something delicate and tender, whom the winds of Heaven may not too roughly visit; but the lives of most women, as well as of most men, are not spent in a fool's paradise, but in a hard and cruel working world. What are the views of those women who are doing good work in the world, leading earnest and useful lives, and who are women of the highest intellectual attainments? One of the strongest and most convincing arguments in favour of a Bill of this kind is, that it has had the support of such women as Mrs. Somerville, Mrs. Mary Carpenter, Miss Cobbe, Mrs. W. Gray, and Miss Florence Nightingale. If opinions are to be weighed, and not counted, I wonder how many nonentities, who laugh at woman's rights, it would take to outweigh these names? These ladies have not been led to take an interest in the question by any theoretical or sentimental ideas on the subject. They have been led to devote themselves to the question by what they have seen of the unfairness of the present state of things on the lives and work of women. They know how women are affected by the unjust state of the law, and they know how hopeless a task it is for those who have no political power to get the law reformed. The first Session I had the honour of a seat in this House, an eminent lawyer (Lord Coleridge), who was then Attorney General, made a speech, in which he referred to the unfair state of the law as far as women are concerned. He said that if the House of Commons was as much aware as every lawyer was aware of the state of the law of England as regards the property of women, he did not think it would hesitate to say that the law was more worthy of a barbarian than of a civilized community. That is the opinion of a great and eminent lawyer, delivered many years after Lord Brougham had said there must be an entire re-construction of the law before women could obtain justice. Even in those countries where women are best treated, the law is generally unfavourable to them in respect to almost all the points on which they are most deeply interested. Women desire the franchise, not from any fancied equality with men, but because they heard that the possession of political influence is the only guarantee for legislative justice. The hon. Member for North Staffordshire said there was not a single case in which the interests of women were opposed to those of men, and he objected to women being looked upon as a class. Now, that seemed to me to be a most extraordinary statement. I confess that I do not yet understand what the hon. Member meant in making that assertion. It may be said that women, like men, belong to many classes—the rich and the poor, the industrious and the idle, the good and the bad, and so on; but there is nothing more absurd than to say women are not a class. In reference to legislation, they are a class as far as they have special interests concerned which are affected by legislation. Have women no special interest in the laws affecting marriage? Have they no interest in the laws affecting the property of women? Have they no special interest in the guardianship of children? Then, again, look at the great number of subjects on which we legislate with special reference to the industrial pursuits of women—the hours at which women are to be employed, and so on. In all of these cases they have a distinct and peculiar interest as great—and in some respects greater—than that of man. Then we are told that we are endeavouring to upset a state of things that has existed from the creation of the world; that we are going to destroy the relations between the sexes, which have endured for all time. The same thing has been said in regard to polygamy and of slavery over and over again. Slavery is almost co-eval with the creation of man. The Digest itself, which represents the wisdom of 13 centuries, says that slavery is a constitution of the law of nature. We must look forward in these things. We must advance as every civilized country advances. Our position is a high one, and we must maintain it. The most extraordinary statement yet made in the course of the debate was the statement made by the hon. Member for North Staffordshire, when he said that as civilization advances women grow weaker and weaker because government is more and more based on physical strength. That is a statement which contradicts all the facts of history, and all the experience of mankind. In an elementary condition of society government was nothing more than the expression of brute force; but as civilization goes on other influences begin to work. The intellectual and the moral forces came to the front, and it has begun to be recognized that there is something in government beyond mere brute strength. Law is the protection and the refuge of the weak. The man who says that woman is not to have a voice in the shaping of the law because she is physically weaker than man, uses an argument which shows that he never reached a fundamental conception of what the nature of law is. This demand for the suffrage is only part of the great movement which has been going on for years in this country, and which is opening out a wider range of thought and broader sympathies for the women of England. Let us look back to the state of things which existed in those distant states of society to which the hon. Member for North Staffordshire wishes to confine us. Once upon a time there was a grave question whether the spiritual and immortal nature of man was shared by woman, and whether the possession of a soul was not the exclusive attribute of the lords of creation. Chrysostom described woman as a necessary evil, a natural temptation, a desirable calamity, a domestic peril, a deadly fascination, a painted lie. Many arguments advanced to-day will in time to come seem quite as ridiculous as this. The time will come when men will no longer desire to exclude, upon such grounds, so large a portion of the industry and intelligence of the country from the enjoyment of the simple rights of citizenship and the discharge of the elementary duties of citizenship. There is no question of antagonism between the sexes. This movement is not based upon the assumption of such antagonism. We cannot raise women without raising men. Man has a direct interest in the progress of every movement which has for its object the elevation of woman. This movement will raise woman, widen her mental power, and elevate her ideas. The more you do this the more you fit woman for that high and true companionship with man to which nature, in making her a reasonable and intellectual being, has clearly intended her. The companionship we should secure for her is not companionship in the mere frivolities of life, but in those great aims and interests which occupy the highest thoughts of man. It is the absence of such companionship, and the want of objects of sufficient interest—the want of capacity on the part of woman to enter into the thoughts of man—that strikes the greatest blow at domestic happiness. I shall vote for the proposal of my hon. Friend the Member for Liskeard, because I think that while it will be an act of justice to admit those women to the franchise who possess the only qualification the law insists upon, it will also widen their ideas, enlarge their intellects, and lead them to take a rational interest in the affairs of the country in which they have so large a stake, and whose future to so great an extent depends upon them.

Mr. GORST: Having never troubled the House with a speech on this subject before, I hope they will forgive me for troubling them on this occasion. My excuse for doing so is the conduct of the Party to which I have the honour to belong. Many Members of that Party have been strong supporters of Bills similar to that which is now before the House; and, under these circumstances, it would have been somewhat strange if no single Member were to rise on this side of the House and speak in support of the measure, now that the Conservative Party are in Office. I think, moreover, that when you look at the back of the Bill, and find among the names of those responsible for the preparation of the measure that of so illustrious a Member as the late Recorder of London (Mr. Russell Gurney). I think that it is only right that some Member of the Conservative Party should endeavour to fill his place, and recommend a measure to which he was always known to give his warmest support. When we on this side of the House were in favour of such a Bill, we were in favour of it on the ground of principle. Those were days when we had what we were pleased to call our principles; and the principle on which we supported this measure was that we were in favour of personal liberty as opposed to legislative restrictions. Those were days when persons were harassed by over-legislation; when interests and classes of people were oppressed by Acts of Parliament; and when the Conservative Party used to lift up its voice in favour of personal liberty and of leaving people to mind their own affairs themselves, trusting to their discretion, good judgment, and sense of right and wrong, rather than endeavouring to tie everybody down by Acts of Parliament. The Leader of the Conservative Party (the Earl of Beaconsfield) was always in favour of this measure on the grounds I have stated, and I have no reason to believe he has changed his mind. I have not heard it stated that he has abandoned his former opinions. But, certainly, a strong change seems to have come over the Party he leads. I believe that there are Members of the Cabinet professing Conservative opinions who give their votes, and on several occasions have raised their voices, in favour of this measure. Where are they this afternoon? The Leader of the House (the Chancellor of the Exchequer), I believe, has recommended this measure to the House of Commons. He has certainly supported it by his vote. Why is he not here to state to his Party the reasons which induced him in times past—and perhaps will induce him this afternoon—to give his support to the measure? Unless we have abandoned the principles which it was convenient to assume in Opposition, I think we ought to act up to them on an occasion like the present, or to offer to the House and the country some reason why we are prepared to put down the other sex by legislative enactments, instead of trusting to their own discretion and sense of right and wrong. That is my first excuse. My second excuse is this—that there has been of recent years so much use made of that sort of argument, which Mr. Bentham called "the hobgoblin argument." I never found any Member who very strongly objects to the measure now before the House who did not say that what he objected to was not the measure itself so much as what it would lead to. ["Hear, hear!"] As I hear the hon. Member for North Warwickshire (Mr. Newdegate) cheer that remark, I presume there are still those in this House who are afraid of what it is going to lead to. Now, I always endeavour to be frank with the House, and I am bound to say that this "hobgoblin argument" has received great support from the agitation which has been carried on by the advocates of the measure in this country, and from the speeches which have been made in this House in support of it. It certainly is an argument which has had a great effect upon the House. It has terrified Members on this side, and sober-minded and intelligent Members on the other side. The hon. and learned Member for Taunton (Sir Henry James) was so terrified at the prospect of what might happen if the measure passed, that he was instrumental in forming, a few years ago, a society for the protection of men. That society has, I believe, succeeded in diverting some hon. Members from the opinions they formerly entertained, and, among others, the hon. Member for North Staffordshire (Mr. Hanbury). I believe that the hon. Member for North Staffordshire was at one time a strong supporter of the Bill, and that he was induced to change his mind, and was brought round to his new mode of thinking, entirely by the use of the "hobgoblin argument." Members who, like myself, always supported this measure upon moderate, and what some people may, perhaps, call very low, grounds, should, I think, state the grounds on which they vote, in order that they may not be confounded with the advocates of women's rights, and those who wish, as an hon. Member said just now, to turn the world upside down. Now, I am not one of the strong advocates of women's rights. I do not believe that women are much oppressed, or that their prospects, on the whole, are very bad, or that their interests are in an unsatisfactory condition. I do not myself feel that if we pass this Bill for the removal of the disabilities of women in regard to the election of Members of Parliament, there will be any great revolution at all. A Bill was passed some time ago for giving them votes for members of Town Councils. That has not altered the character of the sex. If an intelligent observer, who had been absent since this measure passed, should return to the country now, he would not think that the character of the women of England had been much altered by the passing of that measure; nor do I believe that if a Bill like the one now before the House were carried, it would have the immense effect either its friends or its enemies in some cases prognosticate. I wish to say that, in supporting this Bill, I support it on the principle I have always believed the Party to which I have the honour to belong adhered to. That principle is, that you are not to impose upon any person any legal restriction not absolutely necessary, that you are to trust not to the positive enactments of law, but to the sober and intelligent discretion of people themselves to choose the particular careers in life to which they will devote themselves. I am willing to remove every legal disability from women, not because I wish to see women embark in pursuits for which they are unfitted, or because I am desirous of seeing them become the surgeons, lawyers, or legislators of the country; but because I think you may sufficiently trust to the intelligence and discretion of women themselves to embark in such pursuits as it is desirable they should adopt. I do not want to see women sit in this House. It may be said that it is impertinent for me to interfere with their discretion in the matter, and that I should, according to my own principles, express no opinion as to whether women ought or ought not to have seats in this House. But, be that as it may, I think it is a question which might with perfect safety be left to the decision of the women themselves, and that there is no occasion to impose upon them any disability; because I do not believe that you would find that women would ever embark themselves in pursuits and positions of life for which by their character they are unsuited. I have a high opinion of the intelligence and discretion of the female sex, and I do not think that they require all this legislation. They do not require that my hon. Friend the Member for Cambridge (Mr. Smollett) should take them under his protection, and decide for them what they are to do and what they are not to do. We should give them perfect liberty, and they could then decide for themselves. I shall vote for the Bill simply because I am in favour of the removal of restrictions. It takes away a restriction which I think is unnecessarily imposed by the law, and it leaves women in exactly the same position as that which is occupied by men. I consider that they are as fully entitled to the franchise as men, and that they should be as free as men to make such use of the franchise when they get it as they in their own discretion shall think proper. I therefore give my cordial support to the Bill as a Bill simply for the removal of disabilities, and I do it on the principle of personal liberty, and because I think you ought not tie women down by artificial restrictions, but should allow them to be free and equal with men in the eye of the law, with full discretion to act as they think fit.

Mr. R. FERGUSON: Having hitherto given a silent vote against this Bill, I desire, with the permission of the House, to state briefly why I have done so. It seems to me that before entering upon the question whether women ought or ought not to have the suffrage, we should have a more distinct answer than we have as yet had to another question, and that is—"Do women want to have the suffrage?" I am well aware that there are a certain number of women—earnest and intellectual women — who have strong feelings and aspirations in that direction; and I am bound to admit that they are themselves eminently qualified for the discharge of any duties which might in consequence devolve upon them. And if any of them can be described—I should be very sorry myself to use such an expression—as "social failures," it seems to me all the more just and fair that they should have as men have, the opportunity of distinguishing themselves in another sphere. But, as far as my observation extends, there are a very much larger number of women who are most strongly opposed to this measure, and perhaps a greater number still who are profoundly indifferent. It has been said that those who do not wish need not qualify, and ought not to stand in the way of those who do. But we may be very sure that in places where party spirit runs high—and these places are by no means few—very strong pressure would be put upon women who could qualify and did not, either by the eager partizans among their friends, or perhaps even in some cases by their religious advisers, to induce them to do what they would call their duty to their country, and, between the two influences, these women would be placed in an unpleasant position. But that, after all, is only a minor objection; and the main objection is the inevitable lowering of political spirit by the introduction of an indifferent, if not a reluctant, contingent. It may be that this adverse feeling on the part of women may undergo a change; and I am not quite sure that there are not symptoms that this change has already begun. And when it appears to me that women in general desire to have the suffrage, I should be disposed to vote for it; for I think we may fairly assume that the political interest therein evinced must be accompanied by some political aptness.

MR. BERESFORD HOPE: I have a few words to say on the subject of the measure now before the House, and I wish, in the first place, to refer to what has fallen from my hon. and learned Friend the Member for Chatham (Mr. Gorst), who has chosen to speak to us in behalf of the Conservative Party. He will find, on looking back through the record of those who have sat on this side of the House, that both of us are among those Members of the Conservative phalanx who, in former times, as well as at the present moment, have been, and still are, very independent specimens of that Party; and, as I never yet have sacrificed my independence, even at the bidding of "the front Bench," I still more positively refuse to sacrifice it now at the bidding of the hon. and learned Member for Chatham. What right he has to come here and, in the deplorable state of Robinson Crusoeism in which that Bench now is, to constitute himself, for the time being, Leader of the Conservative Party, and lecture us upon our duties with regard to this Bill, passes my comprehension. I tell him to his face, as I have said in his absence, he has no right to speak for the Conservative Party, and that his historical memory is about on a par with his legal right in this matter. Some Members of our Party may have voted, and some will now, in favour of the Bill; but it is simply a vision of the hon. and learned Gentleman's own imagination, that those on this side of the House ever as a Party took up this measure. On both sides of the House this Bill has, happily, been regarded as one of the few great questions which have not been made a matter of Party warfare; and I trust and believe that it will continue so, until, ultimately, it will become a Party matter on both sides never to let this scheme become the law of the land. But my hon. and learned Friend comes forward, and projects himself upon us like an aerolite. He tells us that he is in favour of this Bill, on the principle of personal liberty; but what that personal liberty may be he does not tell us. Now, suppose any hon. Member were to bring in a Bill, say to give legislative sanction to polygamy, or anything of that sort, the argument of the hon. and learned Member for Chatham would be—or rather, his assertion, for it is not an argument—"I am a Member of the Conservative Party; I am in favour of personal liberty, and therefore I vote for the Bill." That would be just as sound in regard to a Bill to sanction polygamy as for anything else; because when he made the assertion the hon. and learned Gentleman forgot the little ceremony of proving the connection between the assertion and the result to which it led. The only other portion of his speech, on which I feel inclined to make any remark, is the regret he expressed, that he was not present at the beginning of the discussion. Well, I agree with the hon. and learned Gentleman in expressing that regret; for if he had been present when the discussion began, I do not think he would have made the speech he has just addressed to this House. I have been present all day; and I may say that very seldom has it been my lot to listen with more thorough and entire satisfaction to a speech delivered in this House than when I heard the speech of the hon. and learned Member for Liskeard (Mr. Courtney), and I will tell the hon. and learned Gentleman why I say so. It is because I never saw a speaker more completely kick into infinite space the ladder on which he had climbed. The hon. and learned Gentleman got up to advocate a Bill which was intended to give the franchise to spinsters and to widows, but which would leave unenfranchised that portion of the female world which, to use the graceful language which we have just heard of the lady Petitioners, "carries out the profession of matrimony." I do not see the hon. and learned Member for Marylebone (Sir Thomas Chambers) here to-day; but I would ask, how often has the hon. and learned Gentleman laboured in this House, with a zeal and energy which I can only compare to the exertions of Sisyphus, in rolling his eternal stone up-hill in endless repetition, to prove that he was merely advocating a Constitutional measure? My hon. and learned Friend has merely advocated a Bill to enfranchise the unmarried or the widowed portion of the other sex; he would be no party to anything that should establish an equality of female right. I quite believe in the sincerity of my hon. and learned Friend; and I think that never was sincerity more thoroughly proved than by the hopeless despair in which he has run away from his own Bill—that totally unworkable measure, in regard to which his own good sense has shown him the radically false position he has taken up. Well, what was the speech of the hon. and learned Member for Liskeard (Mr. Courtney)? I appeal to those few hon. Members of the House who, like myself, had the advantage of hearing it, whether it was not, from first to last, an unqualified and uncompromising and logical claim for a new departure for the whole political and social system, not merely of England, but of the whole world—an assertion of rights and claims on the part of womankind which have no relation at all to the Constitution of the country, which have no relation to the franchise as it now exists, which have no relation to our form of government as it at present exists, and which have no affinity with our existing social relations; but which are merely the Utopia of a sanguine and purely theoretical philosopher? In this, I think the hon. and learned Gentleman only reflected, with a little exaggeration, the phenomenal arguments of the accomplished ladies whose brief he has taken up. If there be one fact which more than another would convince me that opposition to this Bill is the course pointed out by common sense and worldly wisdom, it is this—that the advocacy of the measure, notwithstanding all the infinite struggles of those who have laboured to push it on, has never advanced beyond a very limited and very definite circle—a circle composed mostly of women, but some of whose components are men, who have never been able to throw off the oppressive burden of the *à priori*, who, having come into the world with a theory of creation—a theory of human nature which is not exactly that which exists among the rest of human kind—have never been able to square their own conceptions with the accidents of the world as they find it. Those persons have created for themselves a phantasm of women's wrongs, of women's disabilities, and of women's disadvantages—they have created for themselves a theory that those disadvantages may be removed by an arbitrary, so to speak, mechanical agency, conferring on women social and political privileges such as are only to be found for a fragment of the sex in the provisions of this contemptible Bill, which is the result of this great theory. The hon. and learned Member for Marylebone, as I have said, has thrown away his Bill; but the arguments for it are dead against every limitation in it—dead against the disfranchisement of women, dead against the division of women with or without property, dead against everything but that doctrine of the general, the theoretical, right of women as women, on which might be based a Constitution, but one which will not be the British Constitution with which we have been hitherto familiar. Just look at the question for one moment. The hon. and learned Member for Liskeard talks of woman's career being opened up, of women meeting men on an intellectual equality—a point on which he dwelt with emphasis. I will assume that the hon. and learned Gentleman is a practical man, in spite of his speech, and I would beg of him to see how he turns the "pretty fool" into an intellectual woman. She must be a ratepayer, and she must be an occupier or a lodger. By this Bill she is to be thus turned into the intellectual equal of my hon. and learned Friend opposite (Mr. Courtney), or my hon. and learned Friend the Member for Chatham (Mr. Gorst). Well, we will assume the case of some such woman. She is well educated, she has the franchise, and some agreeable, highly-trained man, who is her intellectual equal, wins her heart. She has her choice—either to remain a blighted being, but an intellectual one, and a voter, and in all respects man's social and political equal; or to change her name, and thus to change her nature, shedding her intellect as she puts on her wedding ring, and becoming a degraded and inherently unintellectual worker of samplers and mother of children. Now, I appeal to my hon. and learned Friend, whom I know to be a man of culture, a man of intellect, and a man of experience—I ask him how he can reconcile his magnificent assumptions with the miserable limitations of this Bill, which he has inherited from that sound Constitutional lawyer, the hon. and learned Member for Marylebone? The Bill, in fact, breaks down on its own assumptions. It is to be worked on Constitutional lines; and yet its promoters only propose to work it for the unmarried women and widows! The absurdity of the thing flies in their own faces, and they will be compelled either to go further or abandon the project altogether. The hon. Member who spoke on the other side gave as an argument why we must not enfranchise a married woman, that she and her husband would probably differ in politics, and that, in that case, they would live the life of cat and dog. But, I would ask, is the unmarried woman supposed to be so totally divorced from human sympathies, human relationships, human duties, human obligations, and human difficulties, that her political independence will leave her totally free in the serene exercise of her political duties, and that not until she is married will those dreadful complications and quarrels, to which I have referred, arise? Let us suppose that she is not married, but engaged. Here is a bright young Liberal maid, engaged to a handsome young Tory. A General Election is to take place two years hence, and it will come in February, 1881—for that is the time that it must come. This young lady is versed in woman's subjects, and, in the world at large, she is a reader of every intellectual and able publication. She is engaged in January, and her marriage is fixed for March. Is it possible that, if she were to vote for the hon. and learned Member for Liskeard, and the Conservative, though good-looking young gentleman, were to vote for a man of opposite politics, and take his stand on the re-actionary side—the re-actionary side of this question—there would, on the hypothesis which I am considering, be peace and happiness between them? She will at that day be only engaged, and not married; and so, upon the theory of the hon. and learned Member, her voting would be a perfectly safe proceeding. I do hope that the hon. and learned Member for Liskeard will add a clause to the Bill, saying that, whenever it is not otherwise provided, human nature should be taken to be human nature in the sense of *The Women's Suffrage Journal*. Any trouble, any difficulty, any social inconvenience that may attach to the vote will be equally attached to the wife, the spinster, and the widow. I deny that there is anything like a public opinion on the part of the reasoning, intelligent, thinking wives and mothers of England in favour of the Bill. Petitions have been presented up till to-day signed by 111,000 persons in favour of the Bill; but hon. Members who know what petitioning means, who know what *The Women's Suffrage Journal* aims at, who know what an active organization implies, who know the meaning of meetings where women speak and attractive Members of Parliament take the chair, will well know how to estimate the value of Petitions with 111,000 signatures. What do such Petitions mean? They mean that millions of women in England are either totally unstirred by the question, or are deeply and conscientiously opposed to so listless a change as this Bill proposes. What is the Bill? It says that married women may be cruelly treated by their husbands, may be defrauded of their money, and shall not be entitled to a vote; but that any unmarried lady who drives her brougham, and who may have some difficulty in showing how she provides the money to pay the rent of the house at the door of which that brougham draws up, may have the franchise. This is the Bill which the hon. and learned Member for Chatham is so enamoured of, and which he calls on us to support in the name of the Conservative Party. I know as well the zeal for the ladies of the hon. and learned Serjeant the Member for Queen's County (Mr. Serjeant Sherlock); but I think that he and the hon. Member for Kerry (Mr. Blennerhassett) make this mistake—they go too far in what they say: they either prove the absolute necessity of the enfranchisement of all womankind, or else they prove that the measure ought not to be entertained in any shape. The hon. Member for Reading (Mr. Palmer), in his spirited maiden speech, threw in our teeth the fact that a man's personal conduct was no qualification nor disqualification for the franchise; but the difference is, that the peculiar franchise created by this Bill is one that gives a direct premium to women to follow the less creditable professions—to use the felicitous phrase of the ladies' Petition—instead of the higher and more honourable ones. This, I think, is of itself conclusive as against the Bill. I suppose we shall every year have a Wednesday given up to the discussion of this proposal; but as long as these discussions exhibit the House at 4 o'clock as it now shows itself; so long as the arguments are pressed *ad infinitum* by the same circle of clever and intellectual, but not very well-contented, nor very practical-minded ladies; so long as persons without any difference of political opinion merely turn to the consideration of the question on the strength of their own good sense and knowledge of the world as it is; so long, I assert, will the claim for women's franchise, consistently and creditably and conscientiously as it may be advocated, remain one of a purely artificial character. The evils it is said this Bill would remedy have no existence, or are greatly exaggerated; and it will not be able to remedy them, except on the extravagant hypothesis that women make a distinct party in the world in direct hostility to the party of man; that woman is born the natural enemy of man, and that if she be enfranchised she will be strong enough to make good the predominance of her party against that of man; that she will be able to return a Parliament of men who will do what the present Parliament has left undone, and leave undone everything which the present Parliament has done. I hold that the thing asked for is a mere phantasm, which only creates a mischievous state of agitation—calls people away from real duties and real responsibilities to sham grievances and illusory wrongs. If you pass this Bill, you will have the choice of two alternatives—you will either vexatiously, but purposely, weaken the intellectual and moral force of the electoral body, or else you will give free leave and charter to theories which may be benevolent, but which are illusory and contrary to all sound principles of law and political economy, and against all the principles of generous and strong, because reasonable and workable, morality.

Mr. HIBBERT: I think the House will agree with me that my hon. Friend who has just sat down has given us a very agreeable and amusing speech; but I think they will also agree with me in saying that he has not met the arguments in favour of the Bill by any reasonable counter-arguments. I think, likewise, that he was rather hard—and perhaps a little unfairly so—on the hon. and learned Gentleman the Member for Chatham (Mr. Gorst), who, when he got up to speak in favour of this Bill, spoke, as I took it, in reference to the empty state of the Government Bench, and not on behalf of the Conservative Party. I think that we on this side of the House have a right to express our agreement with him in the remarks he made as to the empty condition of the opposite benches. We know that at least three, if not four, of the Members of the present Government have formerly voted in favour of this Bill. The first case I will mention is that of the Leader of this House—the right hon. Gentleman the Chancellor of the Exchequer—who has voted on many an occasion in favour of the measure, and who I am sorry is not in his place. Then we have the noble Lord the Postmaster General, who I am happy to see in his place. He has often recorded his vote in favour of the Bill, and I trust will once more do so to-day. The Chancellor of the Exchequer last year met a large and influential deputation of ladies and gentlemen favourable to the measure, and on that occasion he said he still sympathized with the object of the Bill. But he also said the matter resolved itself into a question of expediency and opportunity. I do not know whether he meant that that opportunity would come when the present Government go out; but I should have thought that the same reasons might have been given for supporting the Bill, whether a Conservative or a Liberal Government are in power. The question is not a Party question. The Bill is supported by hon. Members on both sides of the House. The hon. Member for the University of Cambridge (Mr. Beresford Hope) has rather tried to throw a slur on this question by saying it is a very small affair, and that the Bill has not created in its favour any large influence throughout the country. I entirely disagree with him in this. I remember when, in 1867, the late John Stuart Mill first brought the question before the House on an Amendment to a clause of the Reform Bill, and at that time only about 70 Members went into the Lobby to vote with him; but since then the number has been more than doubled. As I understand, it includes now between 140 and 150 Members. But I do not think that this fact alone sufficiently shows the interest felt in the country on this question. I will not say much of the Petitions in its favour, because I quite agree with my hon. Friend opposite that you may get up Petitions on almost any question; but we have also the fact that large public meetings have been held in various parts of the country, and that they have almost unanimously declared themselves in favour of this measure. We also know that many of the largest and most important Corporations throughout the country—such as those of Birmingham, Edinburgh, Manchester, and other large centres of population—have petitioned unanimously in favour of the Bill. If this be so, I do not think we can say that the measure has not grown into importance and is not worthy of the attention of the House of Commons. I think the promoters of the Bill may take heart of grace at the progress they have made, especially when they remember that it is not much more than 10 years since this question was first brought before the House. During that interval women have obtained in many ways a much better status than they had before. It was said by my hon. Friend that the admission of women to the municipal franchise was an accident; I do not agree with him. The fact is, that women were allowed municipal votes after a full discussion of the question in this House, and it happened to be on an Amendment to a Bill on the municipal franchise which I myself brought before the House. Well, again, women have been allowed to vote in the election of members of school boards, and they have exercised the power given to them in every way to the benefit and satisfaction of the country. And not only are they allowed to vote for members of school boards, but they are allowed themselves to sit on school boards, and we have several remarkable cases of ladies who have acted on school boards with the greatest ability and judgment. Besides this, they have votes for vestries and for the election of Poor Law Guardians, while they have also the right to be elected as guardians of the poor. If this be so, what reason is there why we should stop here and say that while they, equally with men, pay rates, they shall not have the privilege of voting for Members of Parliament? I confess that I can see no reason for taking this position, except it be a reason to say that they are objected to because they are women. If there is anything in the objection, it must be either because they are not fit to give a vote, or else it is that their admission would be an injury to the Constitution, or an injury to the women themselves. I cannot understand that any reason can be brought to bear against the proposal to give women votes as a matter affecting the Constitution itself. Women are allowed to enter into trade. They carry on large businesses. I have myself known women carry on large cotton-spinning concerns in a very satisfactory and successful manner. They are owners of land, and they are in many ways called upon to perform the same duties which men are called upon to perform. Therefore, I think that this Bill proposes what is only fair and just with respect to the class of women who are occupying householders. I should not support the Bill if it went further than this. Then, is there any reason why women should not have votes, looking at the question as one affecting themselves? Well, we are told that if women had votes, they would be less attentive to their domestic duties; but I want to know whether the political duties which a woman would be called upon to perform, were this Bill passed, are so onerous that they can interfere materially with their domestic duties? Men have their business duties, and women would not be in a worse position than men. But then we are told that women cannot perform the duties which attach to the privileges of men. I have heard it used as an argument against granting these privileges that women cannot serve upon juries. I cannot see any reason why, in many cases, women might not satisfactorily serve on juries. There are many cases in which women-jurors would be able to give a more satisfactory and judicious verdict than men. It was said that women could not serve their country in war. I admit they could not enter the Army; but if there is any country where that argument ought not to be used, it is this one. Ours is a paid Army. No man is compelled to serve in the Army, and that no woman could be called upon to perform duties which men are not obliged to perform is no reason for denying the suffrage to women-householders. Each sex has duties which they can perform separately to the satisfaction of the country, and their performance of different duties is no argument for the exclusion of women. In fact, there is no reasonable argument against this measure, either on the ground that it would do injury to women themselves, or that it would be injurious to the Constitution. I do not wish to use any exaggerated language as to the result of giving the vote to women-householders. I do not think myself that any great difference would be made in the Membership of this House; but a grievance felt by a large class would be done away with, and we have always legislated in this country with the object of doing away with grievances. At a time when an Election is about to take place, if women feel that they have grievances to remedy—that the law in respect to their property is not satisfactory—that the law with respect to assaults upon women is in need of improvement—or that the education of women demands legislative attention, I do not see why it should not be in their power to exercise a direct influence upon the Legislature. I think the influence they would bring to bear upon the Election would be a just and good influence, and would not be exercised to their own injury, but to the great benefit of the Constitution. The late Mr. Mill, when he brought this matter before the House, did so in a manner that made a great impression on the House. It was entirely owing to his speech that I decided at that time to vote for his proposal, which I have ever since continued to vote for. I will trouble the House with a few of his words, and I hope they will have some influence on hon. Members to-day. He said—

> "There is no other example of an exclusion which is absolute. If the law denied a vote to all but the possessors of £5,000 a-year, the poorest man in the nation might—and now and then would—acquire the suffrage; but neither birth, nor fortune, nor merit, nor exertion, nor intellect, nor even that great disposer of human affairs, accident, can ever enable any woman to have her voice counted in those national affairs which touch her and hers as nearly as any other person in the nation."—[3 *Hansard*, clxxxvii. 817.]

I say, then, on these grounds, let us act justly in the matter; let us place women in the same position as men, and if we do that we shall never regret the day when we gave women the same privilege as men, of voting in an Election of a Member of Parliament.

Mr. GREENE: I had no intention to address the House on this occasion, because this is one of those subjects which are already very well thrashed out, and the interest in which becomes less every year. But the speech of the hon. and learned Member for Chatham (Mr. Gorst) has caused me to rise. He has said it is very extraordinary why the Conservative Party while they were in Opposition should have supported this measure, and should not do so now. I, for one, have never supported this measure, whether my Party has been in power or out of power. I am told that there are weak brethren who have voted for this measure thinking it would be in the interest of the Conservative Party; but I, for one, have such strong feelings on this subject, that my Party might stay on the Opposition side of the House till the Day of Judgment before I would vote for this measure, which I believe to be contrary to true principles. I think that first impressions are generally right, and I am sure that the first impression that this Bill would create, if it were new to hon. Members, would lead them to throw it down and say "rubbish." The hon. Member who has just sat down says he does not see any reason why women should not serve on juries. I believe there is no country in the world that at this moment gives women the vote, and I read in *The Women's Suffrage Journal* that the system of placing women on juries in America, after a few trials, was abandoned, and had not been revived. Arguments are used on the other side about struggling women in want of work; but I want to know whether, if women had a vote, the House would in consequence provide work for struggling women? If hon. Members would only devote half the time employed in the advocacy of this measure to the attempt to reform the laws under which they were at present alleged to be suffering evil, they would do greater service to the sex. The hon. Member who last spoke said he did not think that this measure would have any effect upon the laws at all. The hon. and learned Member for Chatham is all for the liberty of the subject now. He would be a suitable Member to sit on the other side of the House. When I hear his speeches I never quite know whether he is on this side or the other. He generally, after all, votes right, and that makes up for other shortcomings. I would ask him, is there any greater inconsistency than that involved in this

Bill, which would allow a single woman to have a vote and deprive her of it directly she is married? I put this case. A man marries a widow who has children. These children have property under the mother's control, and the husband has no power over it. The widow would be unable to give a vote in the interests of her children. I confess it seems to me utterly absurd that this Bill should pass. It is a short Reform Bill that will overwhelm the votes of men, and on that ground alone it is objectionable. Now, there is one Member of this House, with whom I do not agree in politics, but who spoke on this Bill last year—the right hon. Member for Birmingham—and he said—

> "I should like to ask the House whether it is desirable to introduce our mothers, and wives, and sisters, and daughters into the excitement, and the turmoil . . . . . which seems in every country so far to attend a system of Parliamentary representation, whether it be in the United States, where so many systems are tried, or whether in this country?"—[3 *Hansard*, ccxxviii. 1737.]

He further goes on to say—

> "The hon. Member for North Warwickshire (Mr. Newdegate) referred to the Catholic question to the influence that might be exercised by Catholic priests. I will not go into that further than to say that every man in this House must be sensible, and those who are in favour of this Bill have never to me ventured to deny, that the influence of priest, parson, and minister would be greatly increased if this Bill and other measures of a similar character were passed."—[*Ibid.*, 1739.]

These are words which will, perhaps, have some weight on the other side. Nobody has answered them. If you pass this measure, you cannot logically deny the right of women to sit in this House. No man has a greater regard and respect for women than I have. There are a vast number of women far superior to men; but, taking them as a body, they have not the same intelligence or the same power of forming a judgment on great questions that men have. Lord Aberdare, whose name will be respected on both sides of the House, has clearly shown that women were not intended to occupy the position of men. Otherwise we should not in the 19th century be without an instance of some country in which the experiment has been tried. I have not altered my opinion on this subject, although I have had pressure put upon me. I have been told my seat would be safe for ever if I voted for this measure. But I would rather sit outside the House than sit in it on these terms. I have no idea of sitting here except on principle, and I have never given a vote unless I believed it to be for the good of the nation. I have not voted for the sake of temporary benefit to my Party, and I shall give my vote this afternoon against this measure. I do hope that hon. Members who bring this Bill forward and find their case waving will spare the House of Commons the time and Members the trouble of voting year after year on a Bill which I prophecy will never pass this House.

SIR HENRY JACKSON: I do feel to some extent that I agree with the hon. Gentleman who has just sat down, that it may not be altogether desirable that this Bill should be ventilated every year; but I think the House will only do justice to my hon. Friend the Member for Liskeard in recognizing that, after what took place in the last debate, it was impossible for him to abstain from seeking a vote of the House upon the measure. He certainly was not to blame last year for the misfortune which prevented the vote of the House being taken. I cannot but feel that this is one of those measures which might be discussed at the beginning and at the end of a Parliament; but I am disposed to doubt whether a cause really gains ground by a perpetual annual Motion which does, to some extent, fatigue the House. I say that, Sir, entirely in the interests of the movement, of which I confess myself an ardent supporter. I throw out the suggestion to those in charge of the measure, not to discourage them in their efforts, but as a hint calculated, I hope, to insure their ultimate success. It is almost hopeless to say anything new on this subject. All the humour, I am bound to say, is on the side of the opponents of this Bill, and they never fail to treat this subject with a jocularity which they think takes the place of solid and serious argument and objection. If the proposal of the measure is well understood, it is perfectly simple. The promoters of the Bill practically say—"We find, as a part of the Constitution of the country, that the suffrage is given to men who satisfy a certain condition. In counties it is either property or occupation. In boroughs the basis of the franchise is the payment by the head of the family of his contributions to the State. If you find a woman in this position paying the same contributions to the State, and doing all for the State that she is allowed by law to do, in precisely the same way as a man, what is the reason why that woman, so discharging these duties, cannot have the same voice or influence in the destinies of the country as a man?" That is the simple question involved, and I have never heard any attempt to answer it except one—which is, that she is a woman. My hon. Friend the Member for Cambridge University does not meet this question; but, as if he were the most violent supporter of the extremest claim of women's rights, pulls my hon. Friend's Bill to pieces because it does not go far enough. He says my hon. Friend is not only ungallant, but exceedingly illogical, because he picks out certain members of the female sex and proposes to endow them with the franchise, and leaves the larger proportion of the sex entirely out in the cold. It is easy to see that this is only playing with the question. My hon. Friend, in his Bill, does not attempt to take any step in the direction of establishing woman suffrage further than would be done by declaring that a householder shall not be under any disability simply by reason of her sex. I ask my hon. Friend the Member for Cambridge University, would he support the Bill if it went any further? Would the Bill, in respect of which he makes the complaint that it leaves out married women, be more palatable to him if it attempted to enfranchise them? I am putting a question to which he could give but one answer. The question that really must be decided by to-day's vote is this—Is the disability of sex based on reason, justice, or expediency, or have those who assert that it ought no longer to be an impediment, made out their case? That, Sir, I take to be the real question which has to be answered by those who vote to-day; and, for my own part, I have no hesitation in saying we all lose by the infliction of disabilities. In a former debate, the hon. Member for Cambridge University said that in the beginning human beings were created male and female, and it was the will of the Creator to assign to each of them their separate sphere. The observation, though trite, was perfectly true; but who is to measure, who is to define or prescribe the limits within which the energy and power given by the Creator to the two sexes is to operate? What other reasonable limit can there be than the power which every individual feels in herself or himself to do work in their own sphere? I do not think myself that this Bill, if passed, would have a very marked effect on political Parties; but it would be another step in the recognition of the principle which, I maintain, we ought to contend for—the principle of the *carriere ouverte*, as the French call it, to every individual. It is said that everything woman requires is already done for them. I quite agree that great strides have lately been made in the way of opening careers to women; but whatever has practically been done has been done reluctantly. Nothing has been given at all, but everything has been obtained, as it were, at the point of the bayonet, and has been fenced about with restrictions. At the present moment, with the single exception of a limited entry into the Medical Profession, there are few careers actually open to women. Now, I shall always support every effort which seems to me to tend to the removal of these restraints. I shall do so as an act of justice to women, and because, by removing these restrictions on individual energy, I shall be doing the best service to the State and to the whole community. It seems to me that all experience tends in this direction, and there is no experience to the contrary. Has any hon. Member seriously maintained that the removal of these restrictions in the case of the municipal franchise has produced deplorable results? There is no evidence to that effect obtainable. All experience of all human work seems to show that you really are gaining for the public and the State by removing these social and political disabilities. We all remember when ladies began nursing in hospitals; and when Miss Nightingale went to the Crimea, the same people who now turn up their eyes in horror at the notion of women taking any new part in life, were as much shocked at Miss Nightingale's course, and abused her for what we now look back upon with a sense of pride, and gratitude, and satisfaction. The Conservative instinct is so strong amongst us that there is nothing more difficult than to open out a new career for women. But we have seen how well ladies have done as hospital nurses. I have no hesitation in saying, from my personal knowledge, that any lady who has once had the advantage of the attendance of a lady medical adviser will shrink very much indeed from going to anyone else. What is our experience as to the removal of the disabilities from our own sex? How long it took to obtain the admission of Jews to the House! My hon. Friend the Member for North Warwickshire believed that to remove this personal religious disability would be to unchristianize this Assembly; but every Member must now feel that the removal of that disability has been to the advantage of the House. All experience of the removal of restrictions is similar. Inasmuch as men and women cannot do more than their respective powers will permit, what is the danger of removing these disabilities? It is because I believe this Bill to be a step in that direction, that I shall give it my support.

MR. ASSHETON: I am glad that the hon. and learned Baronet who has just sat down has held out some prospect that we shall not have this Bill before us next year. If this debate is to make some amends to the hon. Member for Liskeard for the fate which overtook this measure last year, I hope he will also make some amends for asking us to debate it now, by not bringing the subject forward again next Session. I am quite sure that this subject is not ripe for discussion. Some reference has been made to the deserted state of the Treasury Bench. I am sure the condition of that bench is a very fair criterion of public feeling. When any subject is stirring the thought of the country, Ministers find it necessary to be in their place. But when the debate takes the form of a pleasant and interesting discussion that can lead to no results, Ministers and other hon. Gentlemen who have serious business elsewhere stop elsewhere, and merely drop down here about the time they think the division will be likely to come on. I do not know that I should have risen to speak in this debate, had not mention been made more than once of *The Women's Suffrage Journal* by hon. Members who sit below me here. I have also had the privilege of having this paper sent me by some fair lady. I suppose, at least, it is sent me by a lady, and being a lady, of course she is fair. I have read that paper with very considerable interest, so much so that I began to wonder what other people might think of this question. My eyes wandered down the newspapers to try and find out. Amongst other paragraphs, I saw one describing the proceedings of a certain Municipal Council, which was not at Manchester, but was within 100 miles of that town. The proceedings were headed—"Miss Lydia Becker and his Worship." I thought the account was interesting, and if the House will allow me, I will read it to them. A communication was read from Miss Lydia Becker, of the National Association for Securing the Enfranchisement of Women, inclosing a Petition to Parliament in favour of the Bill for Removing the Disabilities of Women. One Alderman says—"I think we could not do better than send our Mayor to square it up with Lydia." Another says—"I think, as a matter of courtesy, he is bound to acknowledge the receipt of the letter." Then the Mayor says, in a great hurry—"Oh, it came to the Town Clerk!" Another member says—"Will he acknowledge it personally? I think he should." Then there was laughter; then the communication was placed upon the table; then the subject was dropped. Without pronouncing any exact opinion as to what the opinion of the Corporation of Manchester, which, I understand, has petitioned in favour of the Bill, is worth, I will say that I entirely endorse the course taken by this Corporation, and I think this Bill should be laid upon the Table, and dropped. That is an opinion, also, which appears to be endorsed by the Front Bench, as shown by their non-attendance this afternoon; and that, I believe, is an opinion which will be endorsed by a large majority of the House.

MR. NEWDEGATE: Before the House divides, I wish to call attention to one or two circumstances which occurred at an earlier period of the afternoon, when the attendance of hon. Members in the House was very small. A story is told of Mr. Wilkes during one of the Elections for Middlesex. His opponent said—"I appeal to the common sense of the constituency." Mr. Wilkes retorted—"I shall appeal to their nonsense, and I shall beat you." The result justified his prediction, and I have always thought that this little incident explains why the House of Commons dealt so roughly with Mr. Wilkes. A man who obtained his seat by a successful appeal to the nonsense—which means the prejudices and the meaner instincts—of a constituency, was in those days not looked upon as a Member returned to this House for the purpose for which this House exists. This Bill appears to me to be founded upon sentimental nonsense. Anyone who has read the history of France will have observed that one of the great characteristics of the latter part of the *ancien régime* was that the educated classes lent themselves to extreme democratic notions—to a philosophy so absurd and so abstract, that it violated all those rules which the Creator has established for the government of man. Such was still the distortion of opinion in France, when Mr. Wilkes took refuge in Paris, in 1796, after having been expelled from this House. The nonsense of France was then represented by a sentimentality which was none the less nonsense because it was sentimental. The attendance in the House was thin when the hon. Member for Liskeard (Mr. Courtney) spoke. I must do him the credit to say that he cast aside all the careful reservations as to the character of this Bill, which the hon. and learned Baronet the Member for Coventry (Sir Henry Jackson) has since so carefully built up; his whole argument went to the extreme of declaring that the object of this Bill was to establish a system of self-assertion among women, which would eventually place them above those considerations which have hitherto resulted from the difference between the sexes. I will quote to the House some of the hon. Member for Liskeard's expressions. He said that he claimed the franchise for women as an absolute right, and that it rested with the opponents of the Bill to show either that any such claimant was unfit for the franchise, or that it would be dangerous to grant it. He contended that the claimant, whether man, woman, or minor, had an absolute right to the franchise, and that an unjust restriction was imposed by refusing their demand. That was one of his proposals. Next, the hon. Member said that any political recognition of the difference between men and women was a relic of barbarism—of barbarism of the most primitive form, of government by force. He further stated that the object of the Bill was to develop self-dependence in women. He then asserted that the development of self-dependence in women tends to a revolution which is most desirable. I remember quoting a declaration made by the right hon. Gentleman the Member for Greenwich, that this Bill was founded upon a revolutionary principle; and I ask the House, when these are the declarations of the Mover of the Bill, whether the right hon. Gentleman was not justified in making that assertion? It is the statement of such objects which has induced the United States, with their democratic Constitution, to resist and repudiate successive attempts to induce them to admit women to an equality with man in the franchise, with the view of creating among women that system of self-dependence which would lead them to ignore the distinctions of nature, the relations of the family, and to discard all those safeguards which they legitimately derive from the feeling, which the Creator has implanted in the breast of every man worthy of the name, that the comparative weakness of woman establishes on her part a claim to considerate protection and to privileges which he would refuse to his fellow-man. But the hon. Member for Liskeard did not stop there. In deprecating what the hon. and learned Baronet the Member for Coventry is kind enough to call our prejudices—our respect for the difference of sex—he compared the state of opinion of this country in the 19th century with the state of opinion in China, and said that the refusal of the franchise to women was paralleled by the manner in which the Chinese pinched their ladies' toes. I shall shortly show the House some of the other extreme arguments by which the hon. Member supports his views. We are not bound, in this House, he said, to consider the end of any course that we may adopt. It is sufficient for us that, at the time, we apparently satisfy what he described as the claims of justice—his notion of justice being that we should ignore the distinction between the sexes, and do all we can to create in the women of this country a feeling of self-assertion, which the democratic experience of the United States leads that country to believe to be inconsistent with their domestic happiness. I have spoken as shortly as I can, but I wished to show the House that this nonsense is not harmless, because it is sentimental. If this House were to sanction the second reading of this Bill according to the views of its Mover, it would adopt those principles of Socialistic democracy which at this moment are disturbing Germany, and which a few years ago convulsed France. I ask, therefore, whether, for the sake of passing this petty Bill—for its advocates dare not demand anything but a modicum of its real object in their terror of having its real scope discovered — the House will sanction the ultra-democratic principles which the hon. Member for Liskeard declared this morning to be involved in the adoption of the measure?

MR. COURTNEY: The hon. Member who has just sat down has reminded the House that Mr. Wilkes succeeded because he made his appeal to the nonsense of a constituency. I think it is quite possible that the result of the division which is shortly to be taken may again prove that he who appeals to nonsense is not always unsuccessful. In the few remarks I have to make in reply, I shall adhere as closely as possible to a consideration of those arguments which appear to me to be based upon a misconception of my former remarks. I have been accused—most strangely, as it appeared to me—of adducing arguments from natural rights, and my hon. Friend the Member for the University of Cambridge (Mr. Beresford Hope) and the hon. Member for Cambridge town (Mr. Smollett), both assumed that certain logical deductions were inevitably to be drawn from the logical statements I was supposed to have made. I should have thought if any thing could be inferred from my speech, it was that I based the whole of my argument—as all the philosophy to which I can lay claim is based—upon the doctrine of expediency. I am a utilitarian *pur et simple*, and the want of logic of which my hon. Friend accuses me arises from a misconception of his own. This enfranchisement, so far as it goes, is demanded on the ground of public benefit, and the limitation of that enfranchisement is based upon the same principle that public benefit will accrue from that limitation. So far as that public benefit goes, the principle should be carried. Where the public benefit is not certain, the principle should cease. I take the Constitution of this realm to be this. This House is called together by the votes of certain arbitrarily-distributed constituencies, by which we do secure a fair —and, to a large extent, an adequate —representation of the different interests of the country. Take any constituency. Go to any street in any borough, or to any county, and you will find shops and farms side by side, one occupied by a man and the other by a woman. Upon what ground of expediency do you give the man a vote and refuse it to the woman? The arguments upon which representative government is defended do not concern themselves in the least with the question of sex. The general reasons why you give the vote to a man must apply to a woman, except in so far as you can show particular reasons against it. It is said —"If you admit women to the franchise at all, you must admit married women;" and then this Bill is denounced as illogical, because it does not admit married women. Nothing is more ridiculous than the affectation of logic by the illogical. Why do we admit spinsters and widows? Because, by that means, you will include a larger number in the representation of the country, get a greater number of persons represented not now represented, instruct the House, develop its sense of justice, and enlarge the character of women themselves. But when you come to the question of married women, there is at once another consideration. If you give a married woman a vote, politics may become a subject of domestic dissension; and that is a sound, if not a sufficient, reason for limiting the franchise. It is no argument against the proposition, that you thus abandon the main object in view—the development of the female character. I am not so sanguine as to hope that by giving a frivolous woman a vote you will at once convert her into a sober and staid matron; but I do look forward to the probability that the alteration will after some time exercise an influence on the female character. But if you give women the prospect of the exercise of political duties, you will make the study of social and political science part of the education of all women; and, whether married or not, you secure that great interest in matters of general benefit, which it is our object to secure. It is said, indeed, that the Creator has made women weak; but some years hence we may have better views of what He has intended in that respect, and we may discover that the intentions and views we have attributed to a higher power are simply the result of notions inherited by us from our ancestors. To say that these were the intentions of the Creator, is to give our opinions a degree of permanency to which they can have no claim. The hon. Member for Carlisle (Mr. Ferguson) said he had hitherto voted against this Bill, and should continue to do so to-day, because he did not discover that women were themselves in favour of it; but that if they were, he would vote for it. I cannot allow that that is a sufficient reason for withholding a vote from those who desire it; and still less do I think it a sufficient reason, if you believe by giving a woman a vote you can develop their interests in the well-being of the community. As a mere fact, however, I can assure him that women are deeply interested in this question, and that their number is increasing year by year. I had the honour of presenting, at the opening of this Sitting, several Petitions of an extremely representative character. One was signed by Miss Taylor, Mrs. Grote, Miss Florence Nightingale, Miss Swanwick, Miss Bastock, and a great number of other ladies eminent in art, science, and philosophy—all desirous of a vote. I also presented a Petition from working women, shoemakers, sempstresses, and others. So that, going from one end to the other of the social scale, you will find everywhere a large number of women desiring a vote. I do not say every woman desires it; but does every man use the vote he has? What proportion of men do not vote in the Metropolitan boroughs? There is, however, this important consideration—that, where women have votes, they exercise their right in just the same proportion that men do. I am also told that this question ought not to be brought on year by year, as the feeling in favour of the Bill is dying away in the country. There are many reasons to be urged on both sides on the question whether a Bill should be brought forward year after year; but I can assure the hon. Member for North Warwickshire (Mr. Newdegate) that this is by no means a settled question. I can tell him, also, that the feeling for this Bill is increasing. It is a mistake to suppose that this House entirely represents the feeling of the country outside the House. I am satisfied that the House will not fairly represent the opinion of the country until this Bill is passed. I think that that time is not so far distant as some Members seem to think, and I hope the minority in favour of the measure will go on increasing and increasing until this change is made.

Question put.

The House *divided*:—Ayes 140; Noes 220: Majority 80.

AYES.

Anderson, G.
Anstruther, Sir R.
Archdale, W. H.
Ashbury, J. L.
Barclay, J. W.
Barran, J.
Bateson, Sir T.
Beach, W. W. B.
Biggar, J. G.
Birley, H.
Blake, T.
Blennerhassett, R. P.
Boord, T. W.
Bourne, Colonel
Bousfield, Colonel
Bright, J. (Manchester)
Brooks, M.
Bruce, hon. T.
Burt, T.
Cameron, C.
Chamberlain, J.
Cholmeley, Sir H.
Clarke, J. C.
Clifford, C. C.
Cobbold, T. C.
Collins, E.
Conyngham, Lord F.
Cowan, J.
Cowen, J.
Cross, J. K.
Cubitt, G.
Davie, Sir H. R. F.
Delahunty, J.
Dickson, T. A.
Dilke, Sir C. W.
Dillwyn, L. L.
Dodds, J.
Dundas, J. C.
Earp, T.
Ewart, W.
Ewing, A. O.
Fitzmaurice, Lord E.
Fletcher, I.
Forster, Sir C.
Fraser, Sir W. A.
Goulding, W.
Gourley, E. T.
Gray, E. D.
Guinness, Sir A.
Hamond, C. F.
Harrison, C.
Harrison, J. F.
Hervey, Lord F.
Heygate, W. U.
Hibbert, J. T.
Hick, J.
Hill, T. R.
Holker, Sir J.
Holms, W.
Hutchinson, J. D.
Ingram, W. J.
Jackson, Sir H. M.
Jenkins, D. J.
Jenkins, E.
Johnstone, Sir H.
Kenealy, Dr.
Kirk, G. H.
Laing, S.
Lambert, N. G.
Laverton, A.
Lawson, Sir W.
Leeman, G.
Leith, J. F.
Lloyd, M.
Lusk, Sir A.
Mackintosh, C. F.
M'Arthur, A.
M'Kenna, Sir J. N.
M'Lagan, P.
M'Laren, D.
Maitland, J.
Manners, rt. hn. Lord J.
Marten, A. G.
Matheson, A.
Morley, S.
Mundella, A. J.
Muntz, P. H.
Nolan, Major
Norwood, C. M.
O'Gorman, P.
O'Shaughnessy, R.
Palmer, G.
Parnell, C. S.
Pender, J.
Pennington, F.
Phipps, P.
Playfair, rt. hon. L.
Plimsoll, S.
Polhill-Turner, Capt.
Potter, T. B.
Powell, W.
Power, R.
Price, Captain
Price, W. E.
Puleston, J. H.
Ramsay, J.
Redmond, W. A.
Richard, H.
Ripley, H. W.
Rylands, P.
Samuelson, H.
Sanderson, T. K.
Sherlock, Mr. Serjeant
Shute, General
Simon, Mr. Serjeant
Smith, E.

Smyth, R.
Spinks, Mr. Serjeant
Stacpoole, W.
Stansfeld, rt. hon. J.
Stewart, M. J.
Sullivan, A. M.
Talbot, C. R. M.
Taylor, D.
Taylor, P. A.
Temple, right hon. W. Cowper-
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Wait, W. K.
Watkin, Sir E. W.
Wells, E.
Wheelhouse, W. S. J.
Whitworth, B.
Whitworth, W.
Williams, B. T.
Wilson, C.
Wilson, Sir M.
Yeaman, J.
Yorke, J. R.
Young, A. W.

TELLERS.

Courtney, L. H.
Gorst, J. E.

NOES.

Adam, rt. hn. W. P.
Agnew, R. V.
Allcroft, J. D.
Allsopp, H.
Ashley, hon. E. M.
Assheton, R.
Bagge, Sir W.
Baring, T. C.
Barne, F. St. J. N.
Barrington, Viscount
Barttelot, Sir W. B.
Bass, A.
Bass, H.
Bates, E.
Beach, rt. hon. Sir M. H.
Beaumont, W. B.
Bentinck, rt. hon. G. C.
Bentinck, G. W. P.
Beresford, G. De la P.
Blackburne, Col. J. I.
Brady, J.
Bristowe, S. B.
Brown, J. C.
Bruen, H.
Bulwer, J. R.
Burghley, Lord
Burrell, Sir W. W.
Campbell, Sir G.
Campbell-Bannerman, H.
Cartwright, F.
Cave, rt. hon. S.
Cave, T.
Cavendish, Lord F. C.
Cavendish, Lord G.
Christie, W. L.
Churchill, Lord R.
Clive, Col. hon. G. W.
Close, M. C.
Cochrane, A. D. W. R. B.
Cole, Col. hon. H. A.
Coope, O. E.
Cordes, T.
Corry, J. P.
Cowper, hon. H. F.
Crichton, Viscount
Cross, rt. hon. R. A.
Cuninghame, Sir W.
Cust, H. C.
Dalkeith, Earl of
Dalrymple, C.
Davenport, W. B.
Davies, R.
Dease, E.
Denison, W. B.
Dick, F.
Digby, Col. hon. E.
Duff, M. E. G.
Dyke, Sir W. H.
Dyott, Colonel R.
Edmonstone, Admiral Sir W.
Edwards, H.
Egerton, hon. W.
Errington, G.
Evans, T. W.
Ferguson, R.
Fitzwilliam, hon. C. W. W.
Floyer, J.
Foljambe, F. J. S.
Forster, rt. hon. W. E.
Foster, W. H.
Fremantle, hon. T. F.
Freshfield, C. K.
Gallwey, Sir W. P.
Garnier, J. C.
Gathorne-Hardy, hn. A.
Gathorne-Hardy, hn. S.
Gibson, rt. hon. E.
Gladstone, W. H.
Goddard, A. L.
Goldney, G.
Goldsmid, Sir J.
Gooch, Sir D.
Gordon, Sir A.
Gower, hon. E. F. L.
Greene, E.
Gregory, G. B.
Grosvenor, Lord R.
Hall, A. W.
Hamilton, Lord C. J.
Hamilton, right hon. Lord G.
Hamilton, Marquess of
Hankey, T.
Harcourt, E. W.
Hardcastle, E.
Havelock, Sir H.
Hay, rt. hn. Sir J. C. D.
Heath, R.
Henry, M.
Herbert, hon. S.
Herschell, F.
Holford, J. P. G.
Holland, Sir H. T.
Holms, J.
Home, Captain
Hood, Captain hon. A. W. A. N.
Hope, A. J. B. B.
Howard, hon. C.
Howard, E. S.
Hubbard, E.
Hubbard, rt. hon. J.
James, Sir H.
James, W. H.
Kavanagh, A. MacM.
Kay-Shuttleworth, Sir U.
Kingscote, Colonel
Knatchbull-Hugessen, rt. hon. E.
Knowles, T.
Lawrence, Sir J. C.
Lawrence, Sir T.
Learmonth, A.
Leatham, E. A.
Lee, Major V.
Lefevre, G. J. S.
Leslie, Sir J.
Lewis, C. E.
Lewis, O.
Lewisham, Viscount
Lloyd, S.
Lloyd, T. E.
Locke, J.
Lowe, rt. hon. R.
Lowther, hon. W.
Macartney, J. W. E.
Mac Iver, D.
M'Arthur, W.
M'Garel-Hogg, Sir J.
Maitland, W. F.
Majendie, L. A.
Makins, Colonel
Malcolm, J. W.
Marjoribanks, Sir D. C.
Marling, S. S.
Massey, rt. hon. W. N.
Master, T. W. C.
Merewether, C. G.
Monckton, F.
Monk, C. J.
Montgomerie, R.
Montgomery, Sir G. G.
Moore, S.
Moray, Colonel H. D.
Morgan, hon. F.
Morgan, G. O.
Mowbray, rt. hon. J. R.
Muncaster, Lord
Mure, Colonel
Murphy, N. D.
Newdegate, C. N.
Noel, rt. hon. G. J.
North, Colonel
O'Conor, D. M.
O'Donoghue, The
Onslow, D.
Parker, Lt.-Col. W.
Peel, A. W.
Pell, A.
Pemberton, E. L.
Peploe, Major
Philips, R. N.
Portman, hon. W. H. B.
Praed, C. T.
Raikes, H. C.
Ridley, Sir M. W.
Ritchie, C. T.
Robertson, H.
Rothschild, Sir N. M. de
Russell, Lord A.
Russell, Sir C.
Sackville, S. G. S.
St. Aubyn, Sir J.
Salt, T.
Samuda, J. D'A.
Scott, M. D.
Severne, J. E.
Shirley, S. E.
Simonds, W. B.
Smith, A.
Smith, S. G.
Smollett, P. B.
Somerset, Lord H. R. C.
Stanhope, hon. E.
Stanhope, W. T. W. S.
Starkie, J. P. C.
Steere, L.
Stevenson, J. C.
Stewart, J.
Stuart, Colonel
Swanston, A.
Sykes, C.
Talbot, J. G.
Tavistock, Marquess of
Taylor, rt. hon. Col.
Thornhill, T.
Tollemache, hon. W. F.
Tracy, hon. F. S. A. Hanbury-
Trevor, Lord A. E. Hill-
Turnor, E.
Verner, E. W.
Walker, O. O.
Wallace, Sir R.
Walter, J.
Watson, rt. hon. W.
Whitbread, S.
Whitelaw, A.
Wilmot, Sir H.
Wilmot, Sir J. E.
Wilson, W.
Winn, R.
Wolff, Sir H. D.
Wyndham, hon. P.

TELLERS.

Cotes, C. C.
Hanbury, R. W.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for three months.

COMMUTATION OF TITHES BILL.

On Motion of Mr. Cubitt, Bill to amend and further extend the Acts for the Commutation of Tithes in England and Wales, *ordered* to be brought in by Mr. Cubitt, Mr. Arthur Vivian, Mr. Monk, and Mr. Rodwell.

Bill *presented*, and read the first time. [Bill 222.]

SUPREME COURT OF JUDICATURE (IRELAND) ACT (1877) AMENDMENT BILL.

On Motion of Mr. Attorney General for Ireland, Bill to amend "The Supreme Court of Judicature (Ireland) Act, 1877," *ordered* to be brought in by Mr. Attorney General for Ireland and Mr. James Lowther.

Bill *presented*, and read the first time. [Bill 223.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 20*th June*, 1878.

MINUTES.]—Public Bills—*First Reading*—Inclosure Provisional Order (Orford) * (127); Tramways Orders Confirmation (No. 3) * (128).

Second Reading—Truro Chapter (112).

Third Reading—Elementary Education Provisional Order Confirmation (Portsmouth) * (108), and *passed*.

TRURO CHAPTER BILL—(No. 112.)

(*The Lord Bishop of Exeter.*)

SECOND READING.

Order of the Day for the Second Reading, read.

The Bishop of EXETER: My Lords, it will not take many minutes to explain the purpose and provisions of this Bill, which I now move should be read a second time. The measure is intended to carry into effect certain arrangements in connection with the Cathedral Churches of Exeter and Truro. The former differs from all the other Cathedral Churches, excepting only the Metropolitan Cathedral and the Cathedrals connected with the Universities, in this respect—that it has five Canonries in the Chapter instead of four; and the object with which the fifth Canonry was retained will be found defined in the Report of the Ecclesiastical Commissioners for the year 1855. In that Report, it is stated that the Canonry in question was retained with a view to the foundation of a Chapter to be attached to the Cathedral Church of Cornwall, as soon as Cornwall should have been formed into a separate Diocese. Since that period Cornwall has been separated from the Diocese of Exeter, and constituted into a Diocese by itself. The time, therefore, has arrived for carrying out the original arrangement to which I have referred. In some respects, indeed, the measure has been anticipated. Already the fifth Canonry of which I have spoken has been saddled with the payment of one-third of its income to the Archdeacon of Cornwall. After the first vacancy in the Archdeaconry, the sum to be paid to the holder from the Canonry is not to exceed £200 a-year, so that the transference proposed by the Bill is really a transference of the rest of the one-third and the remaining two-thirds of the income of the Canonry to Truro. Your Lordships will find in the Bill before you the provisions which are considered necessary for giving effect to the objects I have indicated. It will be observed that it is necessary not only to transfer the Canonry; but, inasmuch as there is at present no Dean and Chapter for Truro, which is the Cathedral of the new Diocese of Cornwall, it is also necessary to create machinery for receiving the Canonry so transferred. The Bill proposes, in Clause 2, to transfer the next Canonry which shall fall vacant, other than that which is now held by the Archdeacon of Exeter; and, on such a vacancy occurring, the Archdeacon will enter upon that vacant Canonry, and the Canonry of the income of which he at present receives only two-thirds, with the exception of the residence thereto attached, will be transferred to an endowment fund for the Chapter of Truro. This fund is to be in the hands of the Ecclesiastical Commissioners and by Clause 3, as soon as it is certified by the Commissioners that there are sufficient means to give an income of £1,000 a-year for the Dean, and £300 per annum for each of four residentiary Canons, it will be competent to Her Majesty, by Order in Council, to create a new Chapter, and to make it in all respects similar to the foundations in the rest of England. Meanwhile, in order that the new Diocese of Truro may not be obliged to wait for its Chapter until the full amount shall have been obtained, a provision—Clause 6 of the Bill—is introduced by which Her Majesty may also by Order in Council, create a residentiary Canonry, or Canonries, in the Cathedral Church of Truro before that time has come; and, by Clause 4, Her Majesty may make statutes for the government and for the duties of such Canonries, both in the Cathedral itself and in the administration of the Diocese. The statutes of Cathedrals, as your Lordships are aware, are not uniform, although there is a general law applicable to all alike. Every Cathedral, has, however, to a greater or less extent, statutes of its own; and it is proposed that the Chapter of Truro shall not, in that respect, prove an exception to the general rule. It will have statutes for itself; but those statutes will, as I have indicated, be made by Order in Council—no doubt after due consultation with all parties concerned—and the Order will be submitted to Parliament. The present Archdeacon of Cornwall receives £333 a-year, being one-third of the Canonry. That sum is rather more than is allowed to Archdeacons in the rest of England. As a general rule, the endowment of an Archdeaconry is £200 per annum; and, as the staff of the Cathedral in Cornwall will, for the present, be very poor, it is thought, and is provided by the 10th clause, that the succeeding Archdeacon should be put on the same level as other Archdeacons, and have £200 a-year, and that the remainder of the amount now paid to the occupant of that position should go towards the endowment fund. It is obvious that there must be several parties interested in the matter; and your Lordships will naturally ask in what way those parties have looked at the proposals contained in the Bill. I am glad to say that it has received their approval. The consent of the Dean and Chapter of Exeter has been given to the measure; the Bishop of Truro requested me to introduce it; and I need scarcely add that, by bringing it forward, I have shown that I give my own consent to it. I have only further to remark that I have liberty, I believe, to inform your Lordships that the Bill has the approval of Her Majesty's Government; and, therefore, may be considered to have also the assent of the Crown.

Moved, "That the Bill be now read 2ª."—(*The Lord Bishop of Exeter.*)

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 20th June, 1878.

MINUTES.]—SELECT COMMITTEE—Parliamentary Reporting, Sir Henry Holland, Mr. Hutchinson, Mr. Cowen, and Major Arbuthnot *added.*

PRIVATE BILL (*by Order*)—Leicester Corporation, considered as amended.*

PUBLIC BILLS—*Ordered—First Reading*—Corrib (Galway) River * [225].

Second Reading—Public Works Loans (Ireland) Act (1877) Amendment * [219]; Innkeepers * [211].

Committee—Report—Roads and Bridges (Scotland) [4-224]; Public Health (Ireland) (*re-comm.*) [199].

Third Reading—Tramways Orders Confirmation (No. 1) * [207], and *passed.*

QUESTIONS.

METROPOLIS—COFFEE STALLS IN THE STREETS.—QUESTION.

MR. P. A. TAYLOR asked the Secretary of State for the Home Department, If his attention has been called to a recent magisterial decision (Southwark Police Court) by which it is made an offence to keep an early coffee stall in the streets; and, if he will take into consideration the policy of such decision?

MR. ASSHETON CROSS: Sir, I have been in communication with the magistrate and also the chief magistrate on this matter; and, as I understand the decision, it has nothing like the effect attributed to it by the hon. Member's Question. There is no doubt that these coffee stalls are legal; but it is quite necessary that they should be under some regulation. Whenever a particular stall turns out to be a source of annoyance to the neighbourhood, then it may be suppressed, but not otherwise. There is no intention to re-consider the decision in question.

NAVY—SAILING REGULATIONS OF THE FLEET.—QUESTION.

MR. GOURLEY asked the First Lord of the Admiralty, If his attention has been recently called to the regulations under which Her Majesty's steam squadrons are sailed in "grand divisions" at a distance of about three cables' length apart; and, whether he contemplates making a departmental inquiry into the practice, for the purpose of lessening the risk of collisions similar to that which resulted in the loss of the "Vanguard" in a temporary fog?

MR. W. H. SMITH: Sir, there is no such order as sailing in grand divisions. The established order of sailing or steaming in squadrons in ordinary circumstances of cruising is in two columns, the columns being at least 10 cables apart, and the ships in column two or four cables apart, according as the Fleet is in open or close order. There is no intention of making a departmental inquiry into the subject.

THE FRANCHISE—MANUFACTURE OF FAGGOT VOTES.—QUESTION.

MR. COLE asked the Secretary of State for the Home Department, Whether his attention has been called to the recent wholesale manufacture of faggot votes at Exeter by the creation of thirty-two freehold rent-charges in respect of one house there, as disclosed in the proceedings of the Revising Barristers' Court, published in the "Devon Evening Express" of October 4th, 5th, and 9th, 1877; and, whether he is prepared to advise the Government to take steps to prevent such an evasion of the Act 7 and 8 Will. 3, c. 25, s. 7, in future in such boroughs as possess the right for owners of 40*s*. freeholds residing within seven miles of the Parliamentary Borough to be placed on the list of Voters for the Members of Parliament for such borough?

MR. ASSHETON CROSS, in reply, said, his attention had only been called to the matter by the Question of the hon. Member. He had had no opportunity of inquiring into the facts. He was told that the votes in question were allowed by the Revising Barrister; and he therefore concluded that, according to law, the claims were legal. Personally, he objected to faggot votes; but he did not know that there was any pressing necessity for any alteration of the present law on the subject.

MR. COLE gave Notice that, in consequence of the unsatisfactory nature of the reply, he would take an early opportunity of calling attention to the subject and move a Resolution.

MINES REGULATION ACT, 1872—THE HAYDOCK COLLIERY ACCIDENT.

QUESTION.

MR. MACDONALD asked the Secretary of State for the Home Department, If he can state when or how long it is since the district Inspector of Mines visited the Wood Pit, Haydock Colliery; if he made a searching examination; and, if he will lay the notes of that inspection or inspections upon the Table of the House?

MR. ASSHETON CROSS: Sir, I can only give the information I have received from the Inspector in this case. He says that the last time he was at this mine was on the 27th September, 1876. He goes on to say—

> "There has not been any fatal accident at the pit since the 1st July, 1873. I am familiar with the system of management adopted by Mr. Chadwick, the general manager of the Haydock Collieries, which consist of 12 pits, several of which are working difficult and dangerous seams. I have devoted what time I could to the inspection of those which seemed to require it during the last three years. Twelve thorough underground inspections and 23 visits of inquiry have been made by myself to the pits at the Haydock Colliery, but the opinion I have formed of their management and the precautions enforced are very favourable. The Wood Pit is another seam, and one in which such a calamity is least likely to occur of any of the pits belonging to the Haydock Colliery."

ARMY—THE MEDICAL SERVICE.

QUESTION.

MR. MITCHELL HENRY asked the Secretary of State for War, Whether the new Warrant respecting the Medical Service of the Army will include the first batch of those gentlemen who entered the Medical Service under the ten years' system; and, if not, whether he will take their case into consideration?

COLONEL STANLEY, in reply, said, that there was a Committee now sitting to inquire into the position of the medical officers of the Army, and until that Committee reported, he could not say what would be done.

CRIMINAL CODE (INDICTABLE OFFENCES) BILL.—QUESTION.

MR. B. T. WILLIAMS asked Mr. Attorney General, Whether an opportunity will be given for the discussion of the Criminal Code (Indictable Offences) Bill before the Members of the Bar, who are also Members of this House, leave town for their Summer Circuits?

THE ATTORNEY GENERAL (Sir JOHN HOLKER), in reply, said, he had a very confident expectation that the Bill would be taken in Committee before members of the Bar left town.

POST OFFICE—POST OFFICE SAVINGS BANKS.—QUESTION.

MR. MUNTZ said, the accounts of the Post Office savings banks showed a profit of about £140,000 annually, whereas the accounts of the old savings banks showed an annual loss of between £70,000 and £80,000. He wished, therefore, to ask Mr. Chancellor of the Exchequer, Whether, viewing the great annual loss sustained by the excess of interest paid to the Trustees of the Savings Banks, he is prepared to consider the desirability of taking steps to prevent future deposits except at a reduced rate of interest?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that the Government had not prepared any measure bearing on this subject; and, considering the late period of the Session and the state of Public Business, they could not hold out any hope of dealing with the question this year.

THE BRITISH BORNEO COMPANY—THE CONSUL AT SINDAK.—QUESTION.

SIR CHARLES W. DILKE asked the Secretary of State for the Colonies, Whether it is true that the Acting Governor of Labuan has appointed a Mr. Pryer, who is agent of the British Borneo Company, to be Consular agent at Sindak, on the territory in Borneo ceded to the Company, a cession which has not been sanctioned by the British Government; and, if so, whether steps will be taken to prevent misconceptions which might arise among the natives from the agent of the Company flying the British Flag?

MR. BOURKE: Sir, it is true that Mr. Pryer, one of the agents for the British Borneo Company, stationed at Sandakar, has been provisionally appointed by the Consul General at Labuan to be Consular agent, without salary, in Northern Borneo. The Consul General reports that there exists a valuable trading connection between Labuan and the harbour of Sandakar, and he thought it desirable that he should receive official and reliable information upon this part of Borneo, which has never been penetrated by Europeans, and which is said to be a very fertile portion of the island. However, the appointment of Mr. Pryer has not been confirmed, pending the further consideration of the question which has been raised with respect to the cession of the territory. This cession of the territory has not been recognized by Her Majesty's Government, who have suspended all action in the matter pending the return to this country of the promoters of the Company, who are either on their way home or are about to start. There is no reason to apprehend any misconception arising from the use of the British flag by the acting Consular agent.

THE BOARD OF WORKS—REPORT OF THE COMMISSION.—QUESTION.

MR. GRAY asked the Secretary to the Treasury, Whether the Report of the Commission on the Board of Works, which he intimated some time ago would be in the hands of Members shortly after Easter, may be expected before the Vote for that Department is taken?

SIR HENRY SELWIN-IBBETSON: Sir, the Report has been unavoidably delayed owing to the wide range of the subjects embraced within the inquiry. It is now ready, and I hope will be in the hands of hon. Members in the course of a very few days. I am quite prepared to postpone the Vote until the Report is in the hands of hon. Members.

IRELAND—THE DISFRANCHISEMENT OF CASHEL AND SLIGO.—QUESTION.

Mr. GRAY asked Mr. Chancellor of the Exchequer, Whether, in view of the continued disfranchisement of the boroughs of Cashel and Sligo, it is the intention of Government, before the next general election, to provide for the restoration to Ireland of the full number of representatives secured by the Act of Union?

The CHANCELLOR of the EXCHEQUER: Sir, the Government has no present intention to propose a measure on the subject.

SCOTLAND—OFFICE OF LORD CLERK REGISTER.—QUESTION.

Sir GEORGE CAMPBELL asked the Secretary of State for the Home Department, Whether the money saved by the abolition of the sinecure salary of the Lord Clerk Register of Scotland, and which is derived from registration fees, will be devoted to cheapening registration in Scotland?

Mr. ASSHETON CROSS, in reply, said, that the question as to how the registration ought to be cheapened was one which properly came before the Chancellor of the Exchequer. He might, however, remind the hon. Member that in 1874 no less a sum than £15,000 a-year was taken off these fees under a Treasury minute. With respect to this particular office of Lord Clerk Register, the money would, he had no doubt, be applied to the part payment of another officer who was to have charge practically of the Register Office.

Sir GEORGE CAMPBELL begged to give Notice that he would resist any such arrangement, and move on the next stage of the Bill that it was an extreme injustice to Scotland to treat her in this matter differently from the other parts of the United Kingdom.

SPAIN—THE "OCTAVIA" AND THE "LARK."—QUESTION.

Mr. Serjeant SIMON asked the Under Secretary of State for Foreign Affairs, What progress has been made with the claims against the Spanish Government arising out of the seizure of the "Lark" in 1872, and of the "Octavia" in 1875; whether any, and what, particular sum by way of compensation has been named, or is under consideration, in either case; and, whether there is any prospect of an early settlement of these long standing claims?

Mr. BOURKE: Sir, to the demand of Her Majesty's Government for compensation to the sufferers in the case of the *Octavia,* the Spanish Government have replied that, considering the suspicious character of the vessel at the time of capture, they do not think that they can justly be called upon to pay any compensation whatever for her capture and subsequent detention. They acknowledge that the *Octavia* was illegally seized on the high seas; but they consider when they handed the vessel over to Her Majesty's Government that all claim upon them ceased. This decision has been referred to the Law Officers of the Crown. The proper amount of compensation in this case can only be ascertained on further inquiry; and, therefore, for the present, no fixed sum has been demanded as indemnity. As to the *Lark,* Her Majesty's *Chargé de Affaires* at Madrid was instructed last July to press on the Spanish Government a re-consideration of their decision not to grant any compensation to the persons who suffered from her unjust detention and the ill-treatment to which they were exposed. The Spanish Government have returned no reply to this communication, but Her Majesty's *Chargé de Affaires* has again been instructed to press the matter upon their consideration.

INLAND REVENUE—OUT-DOOR LICENCES.—QUESTION.

Mr. MUNDELLA asked the Secretary of State for the Home Department, Whether, having regard to the rapid increase in the number of out-door licences over which the magistrates have no control, and to the numerous memorials from magistrates and municipal bodies praying for a discretionary power over the granting of such licences, he will give his support to the Bill for this purpose which has already passed a Second Reading, or will introduce or support a measure suspending the further grants of such licences until the Government is able to deal with the whole question?

MR. ASSHETON CROSS: Sir, I do not think that the introduction of a Suspensory Bill would be wise, unless legislation was immediately contemplated; and, so far as I can now form a judgment, to pass such a Bill would take as much time as if we dealt thoroughly and practically with the whole subject. Under those circumstances, I can make no promise to the hon. Member.

POST OFFICE (IRELAND)—TELEGRAPHIC DEPARTMENT—COMMUNICATION WITH GRANARD.—QUESTION.

MR. ERRINGTON asked the Postmaster General, Whether he has considered the memorial from the Grand Jury of the county of Longford, praying for the extension of telegraphic communication to the town of Granard, and can hold out hopes that such extension will be conceded?

LORD JOHN MANNERS: Sir, the question has been considered, but the revenue which it is estimated would be produced by a telegraphic office at Granard would not justify its establishment at the public expense. If the inhabitants will join in giving a guarantee against loss, the extension will be made.

POOR LAW—CASE OF ELIZA LITTLEHALES.—QUESTION.

MR. A. H. BROWN asked the President of the Local Government Board, If his attention has been called to the case of Eliza Littlehales, a pauper receiving out-door relief, who was compelled by force to go into the workhouse of the Madeley Union on the 9th April last, by the order of the chairman of the board; whether it is true that the poor woman was so affected by this act that it became necessary to remove her into the county lunatic asylum in a few days; and, whether this proceeding was legal or not; and, if so, under what Poor Law Act or Act for the management of pauper lunatics can a person be arrested and sent into the workhouse?

MR. SCLATER-BOOTH: Sir, the case alluded to in the Question of the hon. Gentleman has been brought under my notice, and I have received full information respecting it. It appears that Elizabeth Hales is a hysterical imbecile woman, who has been for some time in receipt of out-door relief in the Madeley Union, residing with her sister. The chairman of the Madeley Guardians, who had been in the habit of visiting her during the last four years, found her on a recent occasion in such a state of destitution, and so imperfectly cared for by her sister, that he thought it necessary for her to be removed at once, and gave directions that she should be taken to the workhouse infirmary, with the view of sending her subsequently to the county asylum. In this he acted, not as a Guardian or as Chairman of the Guardians, but as a magistrate; and, as he supposed, under powers vested in magistrates by the Pauper Lunatic Act. In reply to the second part of the Question, it is not the case that the removal had the effect supposed in the Question; for the district medical officer states that he would have given a certificate for the removal to the asylum from the cottage direct had the magistrate been present at the time of the removal. The removal to the workhouse infirmary was made on the Tuesday, and the further removal to the asylum on the following Friday, in strict accordance with the proper legal formalities. I may add that the woman is now discharged from the asylum greatly benefited by the treatment and good diet she there received, and is again in charge of her sister. As to the third part of the Question, I am bound to say that the interim removal to the workhouse infirmary was not in accordance with any statutory power; and, of course, there is no power under any Act by which a person can be arrested and sent into a workhouse.

SOUTH AMERICA—BRITISH CEMETERY AT MONTE VIDEO.—QUESTION.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government are negotiating with the Government of Monte Video for the sale of the British Protestant Cemetery at that place as building ground; and, if so, whether Papers on the subject can be laid upon the Table before the contract is concluded?

MR. BOURKE: Sir, negotiations for the sale of the British Protestant Cemetery at Monte Video are still going on between Her Majesty's Government and that of Uruguay. One of the stipulations is that no part of the cemetery now occupied by graves shall be interfered with for, at least, five years; and the British community are desirous of removing the bodies of those who have been interred. I do not see that any object would be gained by producing the Papers, as the transaction will in all probability be completed before the Papers could be laid on the Table; but if my hon. Friend will confer with me privately, I have no doubt we shall be able to agree about the matter.

POST OFFICE—EASTERN MAIL SERVICE.—QUESTION.

Mr. ANDERSON asked the Postmaster General, If he is ready to advertise for tenders for the Eastern Mail Service; if he will require that the whole service now performed by the Peninsular and Oriental Company under one Contract be again done in one Contract, or if he intends to divide the service so as to induce greater competition; and if he intends to give any effect to the Memorial from Bombay asking for a time not exceeding sixteen days instead of twenty as at present, or in any other degree to require increased speed in the conveyance of these Mails?

Lord JOHN MANNERS, in reply, said, he was not in a position at present to advertise for tenders for the Eastern Mail Service; but he hoped shortly to be able to do so. The advertisement would be so framed as to enable parties to tender either for the whole or any portion of the service and for any rate of speed.

THE CUSTOMS DEPARTMENT—APPOINTMENT OF SIR CHARLES DU CANE.—QUESTION.

Mr. BAXTER asked Mr. Chancellor of the Exchequer, Whether it is true that Sir Charles Ducane has been appointed Chairman of the Board of Customs; and, whether any instance has ever occurred in which a person who has had no previous service in the department, and no experience of the duties, has been appointed Chairman of that Board?

The CHANCELLOR of the EXCHEQUER: Sir, It is true Sir Charles Du Cane has been appointed Chairman of the Board of Customs. I have not gone back into all the records of the Board of Customs to see what was the case with regard to the early appointments. The last lamented Chairman, Mr. Goulburn, had been for a considerable time in the Department; but the Chairman before him, Lord Cottesloe, had not any previous service in the Department when he was appointed for a short time Deputy Chairman with the understanding, I believe, that he should be immediately after appointed Chairman. There have been cases in the Board of Inland Revenue, which is a cognate institution—especially the case of Sir William Stephenson, the late Chairman—in which the appointment was made of a gentleman who had not previously seen service in the Department.

PARLIAMENT—PUBLIC BUSINESS. QUESTION.

In reply to Mr. Dillwyn,

The CHANCELLOR of the EXCHEQUER said, assuming that the Roads and Bridges (Scotland) Bill would be finished to-night, the Valuation Bill would be proceeded with to-morrow, and on Monday the second reading of the Cattle Diseases Bill.

ORDERS OF THE DAY.

ROADS AND BRIDGES (SCOTLAND) BILL—[Bill 4.]

(*The Lord Advocate, Sir Henry Selwin-Ibbetson.*)

COMMITTEE. [*Progress 18th June.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 58 (Intimation to creditors); Clause 59 (Revised list of debts to be made up); Clause 60 (Revised list to be open to inspection); and Clause 61 (Debts affecting counties and burghs may be compromised), severally *agreed to.*

Clause 62 (Valuation of debts).

Colonel ALEXANDER, in moving, in page 32, lines 38 and 39, to leave out "said debt Commissioners" and insert "Sheriff," said, the object of his Amendment was to provide that the Sheriff of the county, who had more legal knowledge and was more competent to deal with the matter, should determine the valuation rather than the Debt Commissioners. If the Amendment were objected to, he was not anxious to press it.

THE LORD ADVOCATE said, that this Amendment was in a much worse position than those of a similar nature which had been previously moved by the hon. and gallant Member, for this reason—that the work to be performed by the Sheriff would be purely accountant's work, and not official work at all.

Amendment, by leave, *withdrawn.*

SIR WINDHAM ANSTRUTHER moved, in line 36, the omission of the word "generally," so as to make it incumbent upon the Debt Commissioners in every case to take into consideration every circumstance which might, in his opinion, reduce, enhance, or in any way affect the value.

THE LORD ADVOCATE said, he did not object to the omission of the word "generally," if it was not to be followed up by any other alteration of the clause. It appeared to him that the words following were necessary in order to indicate to the Debt Commissioner not only that he had a full discretion in these matters, but that he was bound to exercise it.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 63 (Allocation of debts on roads in two or more counties).

MR. J. W. BARCLAY moved to insert, after the words "roads, highway, or bridge partly situated in," the words "or may be a burden upon two or more counties in Scotland, &c." The clause, as it stood, provided for all cases of joint bridges, except such as were under the provisions of Clause 85. That clause referred to certain exceptional bridges, and the object of his Amendment was to provide that the parties interested in those bridges should have the same power of effecting a compromise as they had in regard to other joint bridges under the Bill.

Amendment *agreed to.*

MR. J. W. BARCLAY then moved, in lines 38 and 39, to omit the words "including a reasonable fee to the Debt Commissioners." The object of the Amendment was to provide that the Debt Commissioners should be paid by the Government, and not by the several counties. He thought it would be an exceptional proceeding for the Government to appoint an officer who was to be paid by the several counties and districts. The cost of the various arbitrations might be rendered very expensive, particularly if the Debt Commissioner was to be paid by the parties interested. A much more economical scale was likely to be adopted if the officer were paid by the Government; and it would, he thought, facilitate the settlement of the question if the officer, during the two or three years he would be called upon to act, were paid a certain sum by the Government.

THE LORD ADVOCATE said, he could not accept the Amendment. It was only right and fair that the arbitration, which involved questions in dispute between the parties, should be paid for by the parties themselves.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Clause 64 (Allocation of debts between landward parts of counties and burghs).

MR. J. W. BARCLAY moved, in line 2, after the words "partly within," to insert the words "or made a burden on." This was an Amendment similar to that which had been inserted in the previous clause.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 65 (Debts to be charged against counties and burghs, and to bear interest. Certificates of debt to be granted); and Clause 66 (Extinction of debts not charged in terms of Act), severally *agreed to.*

Clause 67 (Certain road debts may be charged on entailed estates by bond and disposition in security).

THE LORD ADVOCATE moved, in page 36, line 19, to leave out the words "under the preceding section," and insert "hereinbefore."

Amendment *agreed to.*

Clause, as amended, *agreed to,*

Provisions for Payment of Debt.

Clause 68 (Payment of interest under the provisions of this Act); Clause 69 (Trustees and burgh local authority to resolve to pay off debt); Clause 70 (Payment and discharge of debts); Clause 71 (Assessment for payment of debt); Clause 72 (Trustees and burgh local authority may borrow on security of assessments); Clause 73 (Loans to be repaid out of assessments imposed under authority of Act); Clause 74 (Provision for protection of lenders on security of assessments); Clause 75 (Trustees and burgh local authority may pay off loans, and borrow money for that purpose); Clause 76 (Unclaimed instalments to be consigned); and Clause 77 (Sums payable to persons under disability may be consigned), severally *agreed to.*

Clause 78 (Saving as to loan to Mull district of Argyllshire).

Mr. RAMSAY said, he had no wish to object to the clause, nor to any of the provisions which it contained; but as it had reference to a district of a county in which he had an interest, he thought its application should be made universal. He therefore moved, after the word "trustees," to insert the words—

> "nor to any debt due by the district road trustees of any of the several districts into which the county of Argyll is divided for the purposes and under the powers and provisions of the Argyllshire Roads Act, 1864."

He did not know whether the right hon. and learned Lord Advocate would accept the Amendment in this particular place; but he could not think otherwise than that he would approve of it, seeing that the several districts might incur debts which were not county debts, or debts which could be dealt with under the provisions of any general Act, such as the one now under consideration. He did not think his Amendment would in any respect invalidate or affect the rights of the Public Works Loan Commissioners, and he therefore hoped the right hon. and learned Gentleman would accept his proposal.

The LORD ADVOCATE said, that on the first blush of the thing, he saw no objection to the proposal of the hon. Member; but as he had only just received Notice of it, he could not, offhand, say whether this was or was not the proper point for its introduction. He would look into the matter, and it could be dealt with on the Report.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

General Provisions as to Assessments.

Clause 79 (Terms at which assessments shall be payable).

The LORD ADVOCATE, in moving, in page 40, line 15, after the word "shall," to insert "subject to the provisions hereinafter contained," said, his object was to provide that the assessments should be imposed for the year subject to the provisions of the Act, according to the valuation of the lands and heritages on the valuation roll in force for the year.

Amendment *agreed to.*

Mr. RAMSAY suggested that in line 20 the words "1st of February" should be substituted for "1st of January." The hon. Member said, the valuation roll was not made up, or, at all events, was not completed and accessible to the local authorities until the end of October; and, therefore, he felt that it would be desirable to give a little longer time than was contemplated by the Bill for the making out of the assessments and the collection of the rates.

The LORD ADVOCATE said, he thought the suggestion a very reasonable one, and he would, therefore, accept it.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 80 (Collection of assessments); Clause 81 (Board to hear appeals); and Clause 82 (Power to recover assessments imposed by trustees), severally *agreed to.*

Clause 83 (Assessments in burghs, how to be levied and recovered).

The LORD ADVOCATE moved, in page 41, line 31, after the word "or," to insert the words "if there be no police assessment any."

Amendment *agreed to.*

Mr. W. HOLMS moved, on the same page, line 33, after the word "act," to leave out to the word "and," in line 34, inclusive, and to insert the words "shall be."

MR. GRANT moved, as an Amendment to the proposed Amendment, to insert, in line 33, after the word "collected," the words "either as a separate assessment to be called 'The Roads and Bridges assessment,' or."

THE LORD ADVOCATE said, the Committee had already practically adopted the Amendment, but saw no reason why, in line 35, after the word "rate," there should not be inserted the words "and may be collected either separately or along therewith."

THE CHAIRMAN said, he would call upon the hon. Member at a future stage to move his Amendment.

Amendment (*Mr. W. Holms*) *agreed to.*

MR. RAMSAY moved to substitute the word "five," for "four," in line 3, page 42, in order to produce uniformity of practice.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 84 (Burgh may apply certain funds to maintenance of roads in lieu of assessments), *agreed to.*

Special Provisions as to certain Bridges.

Clause 85 (As to cost of maintaining, &c. certain bridges).

THE LORD ADVOCATE moved, in page 42, line 18, after the word "county," to insert "or counties."

Amendment *agreed to.*

THE LORD ADVOCATE moved, in the same line, after the word "burgh," to insert the words "or burghs."

Amendment *agreed to.*

THE LORD ADVOCATE moved, in line 19, after the word "adjoining," to insert the words "county or."

Amendment *agreed to.*

MR. J. W. BARCLAY moved, after line 25, page 42, to insert these words—

> "The trustees of counties and burgh authorities may agree that any such bridge accommodates other traffic than that of the county or burgh in which it is situate, and may agree as to the proportions in which the debt (if any) and the cost of maintenance, and, if need be, of rebuilding such bridge, shall be borne and defrayed by the county or counties and burgh or burghs to which it is common, and such agreement, when confirmed by a resolution of the trustees in general meeting and of the burgh authorities, shall have the same force and effect as an order by the Secretary of State, as provided hereinafter."

The hon. Member said, the object of his proposal was to save the parties and the Secretary of State from a great deal of unnecessary trouble. He had no doubt the right hon. Gentleman would be grateful to him for that provision.

Amendment *agreed to.*

MR. C. S. PARKER moved, in page 43, line 14, to leave out the word "and," and insert the words "or part or parts, or district or districts, of the said county or counties, and by the." The hon. Member said, he wished to provide that where only one district of a county made use of a bridge, that part of it, and not the whole county, should bear a proportion of the cost of such bridge. This would be a more equitable mode of assessment, and he did not see that any reasonable objection could be made to it.

Amendment *agreed to.*

MR. FRASER-MACKINTOSH proposed to add these words at the end of the clause—

> "And with respect to the suspension bridge across the River Ness, erected with public money under the Act 14 & 15 *Vict.* c. 66, for the accommodation of the Northern counties by the Parliamentary Commissioners, the burden of maintaining the said bridge shall in future rest upon the county and burgh of Inverness in proportion to their respective real rents as established by the valuation roll thereof."

His Amendment aimed to remedy a statutory injustice under which the burgh of Inverness suffered.

MR. CAMERON opposed the Amendment, inasmuch as the whole of the bridge was situate within the burgh of Inverness, the boundaries of which had been greatly extended since the bridge was built. It must be remembered that the Bill was one for the abolition of tolls and pontages, and to improve the general administration of the roads, and not intended to shift the burden of maintaining the bridges from the shoulders of those who had hitherto borne them to those who had not. The Amendment referred to the county of Inverness alone, while the terms clearly intimated that the cost of maintenance should be shared by the whole Northern counties. To some such arrangement the county of Inverness would probably offer no objection; but he could not consent to the Amendment as it stood. It should also be remembered that since the introduction of railways the value of the bridge, as a means of communication between the burgh and the Northern counties, had greatly diminished. Another objection to the proposal was, that it prejudiced the very question which it was intended by the clause should be settled by a scheme of arbitration.

Mr. FRASER-MACKINTOSH was glad that though the case of the county of Inverness was in such able hands, so little could be made of it. In 1851 the suspension bridge was built by Government, not for the accommodation of the burgh of Inverness alone, but for the benefit also of the four Northern counties. The expense of maintenance fell upon all alike, but in 1862, when the Commissioners for Highland roads and bridges were abolished, the maintenance was taken off the three Northern expressly, and the bridge was vested in, and became the property of, the Commissioners of Supply of the county of Inverness. The town, if it had to build a bridge for its own traffic, would not have built a bridge which cost between £20,000 and £30,000, and the annual maintenance of which averaged nearly £100 a-year. It was owing to a strained interpretation put by the Commissioners of Supply upon the Interpretation Clause of the Act of 1862, that the town was saddled with the whole cost of maintenance, and he was certain Parliament never intended this. His hon. Friend the Member for the county of Inverness (Mr. Donald Cameron) complained that by this Amendment direct Parliamentary interference was sought in this matter; but this was done because Parliament, however unintentionally, by statute committed the injustice, and the remedy provided under this section was circuitous and expensive. He had no objection to a modification of his Amendment to this extent—that the expense of the maintenance should be borne, half by the county and half by the burgh. He hoped the Committee would help the burgh of Inverness, which was in the position of being obliged to pay for a thing from which they derived no exclusive benefit. He would ask the Committee, whether it was ever heard of that the expense of maintaining the property of one person should be cast on another? He would divide on the point.

Mr. CAMERON did not dispute what his hon. Friend said as to the history of the bridge. The old bridge was swept away by a flood in 1849, and the new bridge was built of stone, and the town levied pontage upon it.

The LORD ADVOCATE said, the present Bill was not introduced for the purpose of remedying any injustice that might or might not have been done by a previous Act of Parliament, or for the purpose of settling any point in dispute between the county and the burgh of Inverness. He thought the Amendment rather out of place, because he was calling upon this House to decide upon a question which fell within the scope of this clause, and to decide it, he thought, without sufficient information as to the nature of the case between what he might term the litigant parties. The very purpose of this clause was to deal with a bridge wholly in one county or burgh, which served as a general means of communication with the adjoining burghs and counties. It might be very proper, under these circumstances, that those who derived benefit from the existence of the bridge should contribute their share. Although the bridge was situated in a burgh, it afforded accommodation to two counties, and, therefore, accommodated traffic much larger than that carried on in the burgh. But there were no materials laid before the Committee which could enable them to judge as to what proportion should be borne by the one party and what proportion by the other. Therefore, he thought the matter should be left under the clause which was expressly made to meet such cases, and, amongst the others, the case of the bridge of Inverness.

Colonel MURE said, that what he understood the hon. Member to mean was, that the county should pay for the bridge at Inverness. He saw no reason why, if the county of Inverness was to maintain this bridge, the counties of Lanark and Renfrew should not pay the cost of maintaining all the bridges across the Clyde at Glasgow, because those bridges afforded accommodation to the county.

Mr. RAMSAY remarked, that the hon. Member simply desired that this bridge should be placed in the same position as if it was in any other part of the county. He proposed that the burgh should pay their share of maintaining the bridge corresponding to the benefit they derived from it. If the hon. and gallant Member who had last spoken wished that the county of Renfrew should take part in the expense of maintaining bridges over the Clyde, the local authority would be glad to accept the suggestion. The hon. and gallant Gentleman seemed to forget that in the case of the bridge across the Ness it was not the property of those who were called upon to maintain it, but that the property in the bridge was vested in the county of Inverness. It was not unnatural, therefore, that the hon. Member for the burgh should ask that relief should be afforded to his constituents.

Mr. J. W. BARCLAY thought the hon. Member had made out a very strong case indeed. If Parliament actually had in view to put the burden of this bridge entirely on Inverness, it would have been a very different matter; but the burden of maintaining the bridge had been imposed upon the inhabitants of this burgh simply and solely in consequence of an error on the part of the draftsman of the former Bill, by which it was intended that a part, at any rate, of the cost of maintenance of the bridge should fall upon the county, because the bridge was much larger than was necessary to meet the wants of the burgh. In the Act of Parliament the word "road" was taken to include the word "bridge," whereas there should have been a separate interpretation. It seemed to him that if any bridge came within the scope and intention of this Clause 85, it was this bridge at Inverness. The bridge was the only one which connected the North of Scotland with the South, along a very considerable part of the line of the Caledonian Canal. It was, therefore, very proper to propose that the cost should be divided between the burgh and the county; but, at the same time, it might be very true that the Committee was hardly in a position to deal with the matter in the manner suggested by his hon. Friend. He did not think his hon. Friend would put the Committee to the trouble of a division, if the Lord Advocate would assure him that the bridge came within the clause which provided the means of apportioning the cost of bridges between the different localities and authorities who derived advantage from them.

The LORD ADVOCATE said, he could give no such assurance, for the reason that the question turned upon a disputed question of fact, which he had no means of determining. If, as the hon. Member for Inverness stated, the bridge accommodated both the county and the burgh, it seemed unfair that the burgh should be called upon to pay all the expense, as the bridge would come within the meaning of the clause.

Sir EDWARD COLEBROOKE said, it would be perfectly competent at any time to make an application to the Secretary of State under the provisions of the clause to which reference had been made, and then the facts would be investigated.

The LORD ADVOCATE said, that was the case, and added that the clause was introduced in the Bill in consequence of representations made by persons interested in the Inverness bridge, and other bridges which were similarly circumstanced.

Mr. ELLICE observed, that this was an exceptional case. The bridge was constructed entirely out of public money, partly granted by that House, and prospectively from a grant made every year for the maintenance of the Highland roads. The maintenance of this bridge was provided for by making it incumbent on all the Northern counties, as being alike interested in this means of communication, to maintain it. It was never looked upon as a bridge belonging to the town of Inverness. Inverness had a bridge of its own, kept up by the town, lower down the river. The new bridge was undertaken, not at all as a burgh bridge, but as a county undertaking. The burgh had no voice in its construction, and had been originally expressly exempted from the liability to maintain the structure. Unfortunately, from a neglect in attending to the Act, consequent on the withdrawal of the annual grant to the Highland roads, words were used in the Interpretation Clause that had been construed adversely to the burgh. He did not approve of the Amendment of the hon. Member, because the expense ought to be borne not by Inverness-shire alone, but by all the Northern counties, as was stipulated when the bridge was built. He therefore thought it best not to press the Amendment as it stood, but to leave the matter in the hands of the Lord Advocate till bringing up the Report.

MR. HERMON said, the hon. Member seemed to forget that there were bridges in other parts of Inverness, and that those bridges were exceedingly expensive. If Inverness had contributed one-half to the maintenance of the roads in other parts of the county, he could have understood this application, but he understood Inverness did no such thing. It would be a very unfair thing if, while those living in other parts of Inverness were taxed to keep their own bridges, this should be thrown upon them also.

LORD ELCHO deprecated any division on this Amendment. The hon. Member who had moved the Amendment had now seen the feeling of the House, and it would probably be better to leave the clause as it was, and not to prejudice it by this Amendment.

MR. FRASER-MACKINTOSH said, that as several hon. Members had asked him to withdraw his Amendment, he should not ask the Committee to trouble to divide. He was satisfied with the discussion so far. Hon. Members had seen that this bridge was not the property of the town of Inverness, and all he wanted was that the town should not be liable for the expense of keeping up a bridge for the whole of the Northern counties of Scotland.

SIR GEORGE CAMPBELL wished to know, if the Lord Advocate would amend the clause in order to meet the case where a bridge was partly in one county and partly in another? There might be exceptional cases, which must be provided for in some way or other.

THE LORD ADVOCATE remarked, that provision of that kind was made in an earlier clause.

SIR GEORGE CAMPBELL understood that referred to bridges wholly in a county or wholly in a burgh. The case he desired to meet was where the bridge was partly in one county or burgh and partly in another.

THE LORD ADVOCATE remarked, that the words fully met that.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Special Provisions as to Highways partly in England.

Clause 86 (As to cost of maintaining, &c. highways partly in England), *agreed to.*

Miscellaneous.

Clause 87 (Authentication of documents relating to the execution of Act); Clause 88 (Minutes of trustees, &c. to be receivable in evidence); Clause 89 (Actions now pending transferred to trustees under Act); Clause 90 (Former trustees to account for moneys and deliver up books); Clause 91 (Books of former trustees to be evidence); and Clause 92 (Trustees not to incur personal liability), severally *agreed to.*

Clause 93 (Trustees not to hold any office of profit or participate in profits of any contract).

SIR WINDHAM ANSTRUTHER moved, in page 47, line 19, after the word "lands," to insert "or any sale of materials for making or repairing the roads."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 94 (No person holding office to participate in profits of any contract); and Clause 95 (Trustee may act as sheriff or justice), severally *agreed to.*

Clause 96 (Moneys to be lodged in bank).

MR. J. W. BARCLAY moved, in page 48, line 6, before the word "board," to insert the words "trustees or," in order that the trustees might have the power of naming their own bankers.

THE LORD ADVOCATE objected to the Amendment, not because he was desirous that the trustees should not have the control, but because there was a general clause giving to them full control over the board. To insert this Amendment might raise the question as to whether the general clause was to have universal application.

Amendment *negatived.*

Clause *agreed to.*

Clause 97 (Cheques on bank account of trustees or board).

MR. J. W. BARCLAY moved, as an Amendment, in page 48, line 8, to leave out the words "one member of the Board," in order to insert the words "one of three trustees nominated by the trustees." As the clause stood, the Bank accounts might be operated upon by one of a large number of trustees; and he therefore thought it would be more regular, and would give greater security, to have the cheques signed by one of three members nominated by the trustees, instead of leaving it to any one member.

THE LORD ADVOCATE said, it could not be feared that any of the gentlemen likely to be selected would be unfit to be trusted with the duty of signing cheques on behalf of the Boards or bodies of trustees, and he hoped the Amendment would not be pressed.

MR. J. W. BARCLAY wished to point out that there were 30 members of the Board. Surely there ought to be some people who should be responsible for signing cheques, rather than this duty should be discharged by any one of 30 members? The clerk might take the cheques to any member who did not often attend the meetings, and who did not know what business was going on. It seemed to him it would be desirable to insert this Amendment.

MR. MARK STEWART said, the usual practice was for the Board to delegate the signing of cheques to one member of the Board and the secretary, and usually the duty was delegated to the chairman. He thought it would be more convenient to let the clause stand in its present form.

MR. RAMSAY thought the precaution of the hon. Member for Forfarshire was not an improper one, but would be in accordance with practice.

THE LORD ADVOCATE said, that the clause should be amended by so altering it as to provide that the cheques, instead of being signed by one member of the Board, should be signed by one of five members to be selected by the Board.

MR. J. W. BARCLAY said, he was willing to accept the suggestion.

MR. ORR-EWING opposed both the Amendment and its suggested alteration, on the ground that they were unnecessary, inasmuch as no money could be taken out of the bank without the assent and signature of some person duly authorized for the purpose.

Amendment *negatived.*

Clause *agreed to.*

Clause 98 (Cheques on bank account of district committee).

MR. J. W. BARCLAY moved, in page 48, line 13, after "committee," to leave out "for the management, maintenance, and repair of the highways within such district," and to insert "or collected on behalf of a district committee." In some cases it might be convenient for trustees to collect their own money, and put it into their own bank account.

MR. RAMSAY said, it was necessary to give power to the district trustees to dispose of the money which they had collected within their respective districts.

THE LORD ADVOCATE said, he would accept the Amendment.

Amendment *agreed to.*

MR. J. W. BARCLAY next proposed to amend the clause by providing that all cheques should be signed by the treasurer and by one of three trustees nominated by the committee, instead of the signatures of the treasurer and one member of the Board only being necessary, as provided by the Bill. He thought it would be a simple precaution to take, and one which would ensure business being conducted in a regular and careful manner. As the clause stood at present, a banker would be justified in paying a cheque signed by the treasurer and any one of the district trustees. Circumstances could be conceived in which such a power intrusted to any one member might lead to serious loss. It was quite true that a bank might be instructed as to how far the account should be operated upon; but he thought the trustees ought to be directed to name certain persons who were to be authorized to operate on the banking account.

MR. MARK STEWART said, that the answer to the question was that the bank would take precious good care to know who was signing the cheques, and who had given the authority to sign them, and the Board would know what precautions to take.

Sir GEORGE CAMPBELL said, he did not think the bank would take very good care, because, according to the Bill, the bank was protected if a cheque were signed by one member of the Board. In the present day they occasionally heard of treasurers who were supposed to be highly honourable men, but who had turned out to be dishonest, and there would always be members of the Board who might not be dishonest, but who would be careless. It would, therefore, be imprudent to give the treasurer power to draw the money with the aid of any one member of the Board.

Mr. DALRYMPLE thought it a sufficient precaution to have the cheques signed by the treasurer and one member of the Board. It was curious that those who advocated a policy of popularising the arrangement should already begin to distrust those who were to be appointed. If anything untoward happened, it would be the fault of those upon whom the duty of election was thrown that they did not select the best possible men.

General Sir GEORGE BALFOUR was of opinion that every precaution should be taken against loose and irregular facilities for signing these cheques. The distrust of the popular element in these road boards was not the cause of this restrictive policy; because, looking back at the past, it would be found that men of high position and place had been guilty of making away with money; and against the repetition of such practices they were bound to guard.

Mr. MARK STEWART said, that the chairman who signed cheques was authorized to do so by a resolution of the Board.

The LORD ADVOCATE said, that the only question now before the Committee was whether line 17 of this clause was to be left out. The discussion that had taken place would be repeated when the Amendment to which it referred was reached.

Mr. J. W. BARCLAY said, he intended to withdraw that Amendment.

Amendment, by leave, *withdrawn.*

Mr. C. S. PARKER suggested that it would be convenient to provide that cheques should be signed by the treasurer, and by one member authorized by the committee.

Mr. RAMSAY said, that what had just been suggested was exactly in accordance with the practice of the trusts and Boards of which he was a member. The invariable custom had been to appoint one person to sign the cheques in conjunction with the treasurer. The complaint that was made with regard to the provision in the Bill was that any member might, in conjunction with a fraudulent treasurer, embezzle the money of the Board, while the banker would be exonerated from all risk or liability for carelessness. As to the distrust spoken of by the hon. Member for Bute (Mr. Dalrymple), it was not distrust that they felt, but a desire to prevent the possibility of trust being abused.

Mr. J. W. BARCLAY said, that what he proposed was that the cheques should be signed by one of three trustees selected by the committee. Any one of them would be available who lived in the immediate neighbourhood of the treasurer, and would have the same responsibility as himself.

The LORD ADVOCATE said, he would bring up a clause giving effect to the Amendment, and also giving the same direction with respect to Clause 97. He hoped the hon. Member would, under those circumstances, withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 99 (Execution of bonds and other securities); Clause 100 (Mortgages to be personal estate); and Clause 101 (Application of moneys not otherwise appropriated); severally *agreed to.*

Clause 102 (Audit of accounts).

Mr. MARK STEWART said, he had to move an Amendment to leave out the word "Sheriff" in the clause and to insert "trustee" in its place. The clause provided that there should be an annual audit of accounts, and that the auditor should be appointed by the Sheriff. It appeared to him to be obvious that if trustees could manage their own affairs they were perfectly well able to appoint their own auditor. His proposal would assimilate the practice of these new bodies to that of local boards, such as Poor Law boards and school boards.

Mr. RAMSAY hoped that the Committee would not accept the Amendment, and that the appointment of auditor would be allowed to rest with the Sheriff.

GENERAL SIR GEORGE BALFOUR earnestly hoped the Lord Advocate would do nothing of the kind. He would remind the House that the Board of Trade invariably required the Sheriff to name the auditor for all accounts connected with harbour and road trusts. That was in order to give the Secretary of State the right to interfere when he found that merely a nominal examination of the accounts was taking place.

THE LORD ADVOCATE said, that the accounting was really between the public and the trustees, and it had been thought right to put the appointment in the hands of the Sheriff.

SIR GEORGE CAMPBELL hoped that the auditor was to be appointed annually.

Amendment, by leave, *withdrawn.*

Clause 103 (Annual reports).

GENERAL SIR GEORGE BALFOUR wished to remind the Secretary of State that unless an effective control was exercised over the details of the expenditure of these bodies expenses would very largely increase. The clause provided that the trustees of counties, and local authorities in burghs, should once a year, at such time and in such form as the Secretary of State might direct, make a Report as to their income and expenditure, and such other matters as they might be directed, and that such Report should be laid before both Houses of Parliament. It appeared to him that there should be a still larger power vested in the Secretary of State of obtaining information from these bodies: as to their expenditure and as to the condition of the roads, the Secretary of State should have the right to prescribe to the counties the nature and extent of examination to be made in the details of the vouchers. Mere verifications of the entries in the accounts by the totals of the vouchers were illusory checks on improper outlay.

The LORD ADVOCATE said, that this clause gave powers to the road authorities to make reports to the Secretary of State, provided that the report should be in such a form as the Secretary of State directed. It was to deal both with their income and expenditure. If the hon. and gallant Baronet could suggest anything else that would be desirable to add he should be happy to listen to it.

GENERAL SIR GEORGE BALFOUR said, that his only object was that the House of Commons should obtain all the information it required. He would have great pleasure in communicating his views to the right hon. and learned Lord Advocate. Indeed, he had already submitted a memorandum to the Secretary of State, but as yet without finding any good result therefrom.

LORD ELCHO said, his hon. and gallant Friend (Sir George Balfour) had a Motion on the Paper for a Return in which the length, breadth, and depth of metal in every turnpike road in Scotland would be contained. He hoped that the Secretary of State would not think it necessary to get more detailed information than the clause provided for. The cost of obtaining details as to every turnpike road in Scotland would be excessive, and some special building would soon be required to contain information so obtained.

GENERAL SIR GEORGE BALFOUR rose to explain, when——

MR. ORR-EWING, asked whether the hon. and gallant Member was in Order?

GENERAL SIR GEORGE BALFOUR said, he merely wished to point out that without the proper information they could not control the expenditure in counties. No one knew better than the noble Lord that there was a great danger of the road expenditure largely increasing, unless direct control was exercised. And as regarded the details to which the noble Lord referred, it was quite well known to the noble Lord that without these details it would be impossible to exercise any useful influence over the road authorities of Scotland. By abolishing the tolls and changing the statute labour roads into roads kept up by assessments, they had removed those useful checks which tolls and labour so effectually afforded. No doubt the roads might be more economically managed and better than hitherto, but the looseness of the controlling clauses gave many openings for abuses.

Clause *agreed to.*

Clause 104 (Repeal of Acts).

MR. RAMSAY said, he had an Amendment which was of a formal nature. The clause provided for the repeal of the 8 & 9 *Vict.* c. 41, and 1 & 2 *Will.* IV. c. 43, except as to certain sections. He hoped the right hon. and learned Gentleman might be induced to incorporate these sections in the Act itself, instead of leaving them unrepealed in the old Acts. He saw no reason why district committees in country places should be obliged to refer not only to this Act but to the old ones also; and he therefore moved, in page 49, lines 15 and 16, to leave out the words "except the sections thereof incorporated herewith, as after mentioned."

THE LORD ADVOCATE thought the best plan would be to repeal the Acts by this clause—all but the excepted sections—and to consider afterwards the clause which the hon. Member proposed to add.

MR. RAMSAY would have been glad to have taken that course, but that the clauses were incorporated in the next clause, which he proposed to omit.

MR. J. W. BARCLAY supported the Amendment. The question was whether, for the sake of some 10 or 12 clauses of the Act of *Will.* IV., here left unrepealed, the authorities should be put to the trouble of keeping the whole of these old Acts, which were altogether defunct, except as regarded the clauses which were to be added to the new Bill?

THE LORD ADVOCATE said, that his hon. Friends misapprehended the effect of the clause. The first part of the clause repealed the General Turnpike Acts, except to an extent to which it reserved their provisions. The point raised by the hon. Member was whether the provisions which were retained could be left out, and afterwards incorporated as a part of the Act? That might hereafter be done; but all that was proposed by the clause was to repeal the General Turnpike Acts, except those few sections.

LORD ELCHO thought it would be a great convenience that the suggestion as to the incorporation of these clauses should be adopted.

MR. J. W. BARCLAY said, the only difficulty in respect to the incorporation of the clauses would be as to the interpretation. It might happen that the interpretation of the clauses of the Act of *Will.* IV. did not exactly correspond with those contained in the Bill. His impression was that the clauses in question, instead of being excepted and then incorporated in the new Bill, might simply have been re-numbered and added to it.

THE LORD ADVOCATE said, that it appeared to him that it would be better to schedule these clauses to the Bill, and retain them as unrepealed clauses of the previous Act, rather than incorporate them. He said this, having regard to the decisions of the Courts of Scotland with respect to these clauses, which might be disturbed if the clauses were treated in the manner suggested.

DR. CAMERON remarked, that it would be much better to incorporate the clauses in such a way as to make the whole subject readily accessible.

SIR GEORGE CAMPBELL said, there was one inconvenience about the course proposed by the Lord Advocate, as a Judge would have to decide whether any one of these clauses was inconsistent with any part of the Act; and he thought, therefore, that it would be better to incorporate them in such a way as to make them a part of the Bill.

Amendment *negatived.*

Clause *agreed to.*

Clause 105 (Incorporation of parts of General Turnpike Act).

SIR WINDHAM ANSTRUTHER moved, as an Amendment, that Clause 80 of the General Turnpike Act be not so incorporated. His objection to that section was that it gave power to the trustees to take material necessary to repair a road from the estate of any man, without permission or payment. That, he asserted, was taxing the landowner twice. If the payment of taxes in money was supposed to be the taxpayer's proportion of rates, then to take stones from his quarry was so like confiscation that he doubted very much whether the House of Commons would approve of that kind of method of levying black-mail. Under the Bill now before the Committee the law by which the roads were maintained was repealed, and fresh arrangements ought to be made to meet the altered circumstances.

THE LORD ADVOCATE said, he could not consent to the Amendment. For a very long period—he thought since the statute passed in the third year of the reign of George IV.—after the system of macadamizing roads became the rule, there had been a custom in Scotland of taking the stone necessary for the roads, the trustees being empowered to acquire that material under certain limitations and provisions. It would very seriously affect road making and road repairing in Scotland if any such alteration were to be made in the clause as had been suggested. There would be extreme difficulty in getting the roads metalled except at very considerable cost, and consequently he could not accept the Amendment. But under the existing statute there was no limit as to the length of road which might be repaired by material taken from the land of one proprietor, and consequently metal for five, 10, or 15 miles of road might be drawn from one place. That appeared to him to be carrying the power given under the Act a little too far; and he considered the quarries from which metal was taken ought to be somewhat nearer than the distances he had mentioned. Consequently, by the clause before the Committee he had restricted the length of the road to be metalled from one place to three miles. The right to take stone, however, he regarded as a very material feature of the Act.

MR. RAMSAY regretted the remarks of the Lord Advocate, because he could not believe the House would sanction a practice which was sought to be perpetuated by the clause—the taking for public use the property of private individuals without compensation. The right hon. and learned Gentleman said it had been the practice for a long period so to act, and there was no doubt that was the case. But were they to continue robbing private persons for the purpose of benefiting the public in the shape of making roads at a cheap cost? The law was not so framed to facilitate the making of railways, or canals, or any other public work; and he could not conceive that there could be the slightest justification for perpetuating such a system. He hoped the clause would be struck out; and then he would move, as a substitute, a clause to the effect that no stone should be taken for road purposes without the owner of the land from whence it was obtained being compensated. He did not believe that the people of Scotland generally had any desire to save expense at the cost of private individuals; and therefore he hoped the Committee would strike out the section in order that they might consider the full effect of the amended clause he would propose, providing for compensation.

SIR GRAHAM MONTGOMERY said, he could quite understand the force of the objection if the materials were of any value; but they knew perfectly well that the rock and stone of which the roads were composed in Scotland were of no earthly value. There might be a few cases where it was of value, but in 9 cases out of 10 it was not; and that being the case, as landed proprietors could not sustain much damage, he thought it would be absurd to disturb an arrangement which had lasted so long.

MR. M'LAREN expressed his thanks to the Lord Advocate for not agreeing to the prohibitory Amendment. Roads made through a landed estate added immensely to its value; and, having rendered these estates so much more valuable by the making of the roads, it was nothing but right that materials should be obtained free of charge to keep them in repair. There was nothing fairer than the General Turnpike Act, which gave power to the trustees to pay for all surface damage; and he thought the landowners of Scoland, who had got their estates vastly improved by the making of roads, the cost of which practically came from the people, should be content with this, and not ask to have the road metal paid for in addition. He agreed that a limit should be put to the length of road to be repaired from one quarry; but he considered three miles too small. Frequently, the particular metal required could not be obtained within a radius of three miles; and, therefore, he thought the Government would be conferring a great boon on the country if they altered the word "three" to "six." He would move that the word "six" be substituted for the word "three" in reference to the length of road to be kept in repair from one quarry.

THE CHAIRMAN said, the Amendment could not be put. The Question before the Committee was that the incorporation of section 80 of the General Turnpike Act should be struck out of the clause.

MR. MARK STEWART said, this was not a landowner's, but a public question. The difficulty was this—that whereas when the General Turnpike

Act was passed, which authorized the taking of stone from land, for the purpose of metalling the roads, there was an abundance of stone to be had; at the present time that supply had very much diminished, and in some parts now there was great difficulty in obtaining the required material. On some parts of the land no material of the kind required could be found at all; while in another part, which the hon. Member who spoke last must have been thinking of, there was any amount of the stone, and it would be no robbery to take any quantity of stone for the highway. But he considered that to go into a man's field, open a quarry, and take stone to metal a road, even within three miles on either side of the place, was inflicting an injustice on the owner of the land, for a field was frequently spoiled in that way. That being so, he thought the clause should be struck out, and he hoped the Government would be able to make some proposal in the shape of a compromise, which should be considered on Report. He was quite sure that the House would not sanction a continuance of the present state of things.

Mr. J. W. BARCLAY said, a custom which had existed for 80 or 100 years might very safely be assumed to be a fair arrangement. If any charge were allowed to be made for stone it would be in the power of certain landowners to exact a considerable sum for it, because they might have a monopoly of the article. Why should this be allowed, when the material to be used was to be devoted to keeping roads in order, and which roads greatly improved their own estates? He thought the proprietors of the soil had no cause to complain of having the stone taken without compensation, seeing that they had the benefit of the roads made, and he did not believe many such complaints were made. What was objected to was the distance to which metal was taken from an estate. There was a case which came under his notice in the county which he represented, where the stone was taken from one quarry to repair nine miles of road. He had had a representation made to him on the subject by the owner of the land, in reply to which he pointed out the Government limit of three miles. His correspondent quite agreed to the alteration, and he (Mr. Barclay) thought the proposal of the Government might be accepted as doing away with the injustice of taking the material so far.

Mr. VANS AGNEW said, he thought many hon. Members were under a misapprehension as to the effect of Clause 80 of the General Turnpike Act. It certainly provided that materials for maintaining roads might be secured without compensation, but only from uncultivated or unenclosed land, and if removed from enclosed or cultivated land all surface-damage had to be paid for. Therefore, there was not that injury done to property which hon. Gentlemen assumed. He had never heard of any inconvenience arising in consequence of stones being taken for road purposes from landed estates. The one evil which remained was, that a quarry might be opened in the neighbourhood of a residence; but he rather thought that the influence of anyone whose residence was likely to be in that position would be sufficient to provide that no damage was done in that respect. He thought if hon. Members would look fairly at the whole clause, the difficulties which many hon. Members thought might occur would not arise.

Mr. RAMSAY said, he had looked at the whole clause and studied it with the best attention he could bestow; but he could not observe that clearness about it which the hon. Member who had just spoken had hinted at. As to the argument that no damage was done, as the stone was of little value, he replied that in fairness compensation should be given, and if the stone was not worth much the less the sum which would have to be paid. What he wanted to be informed of was, why any private property should be dedicated to the public use without compensation? The views which had been enunciated on the other side of the House as to the public rights and interests were not such as were generally heard coming from that quarter. At a subsequent stage of the proceedings he would propose that full power be given to the trustees to take such land and material as might be required for the purpose of making and maintaining roads on the terms prescribed by the Lands Clauses Consolidation Act, which applied to cases where land was taken for railway or other purposes. He did not see why the public should be dealt with differently from railway or canal companies, or why they should not pay for metal to be used in making and maintaining roads. The hon. Member for Wigton (Mr. Vans Agnew) had said that stone was only taken, without compensation, from unenclosed land. But he (Mr. Ramsay) would remind the Committee that in many counties in Scotland, the land, though cultivated, was not enclosed, and was it desired to give power to the trustees to enter such land without compensation? He did not believe the majority of those who sat on the Liberal side of the House would consent to the present practice being adhered to, and he hoped the Government would assent to the adoption of a course which would put an end to the existing state of things.

Sir ALEXANDER GORDON was of opinion that some alteration ought to be made. It ought to be remembered that when the Turnpike Act was passed Scotland was in a very different condition to what it was now. It was very easy to get the material for roads then; but since then the country had been greatly enclosed, and the difficulty of obtaining requisite material was greater than before. Some portions of the country were very highly cultivated and yet not enclosed, and the first part of the section applied to uncultivated and waste land; but there was also a proviso for entering enclosed land under certain circumstances; but the word "enclosed" did not protect owners of land which was very highly cultivated but not enclosed. There were many complaints in his county as to the working of the General Turnpike Act, and he was of opinion that some change was absolutely necessary.

Colonel MURE said, it had been the custom in Scotland from time immemorial to take stone for the maintenance of roads, and there was now an immense number of quarries open. What he desired to know before he committed himself to any particular decision was, what was done for the maintenance of roads in England?

The LORD ADVOCATE said, the English General Turnpike Act was almost word for word the same as that which affected Scotland.

Colonel MURE said, as the same arrangement applied to England, he scarcely thought the House would be justified in making any alteration in so far as the case of Scotland was concerned. This arrangement had never, to his knowledge, caused any discontent in his country. He was surprised to find his hon. Friend the Member for the Falkirk Burghs holding the views he had expressed, especially as the case of England and Scotland was identical.

Mr. MUNTZ said, he had desired to mention to the Committee that the English and Scotch practice was the same. Under the English Turnpike Act he had known cases where the trustees had taken possession of cultivated fields to obtain stone; and although this was not a pleasant proceeding, yet it was one which must be submitted to for the public welfare. He wished the Lord Advocate would extend the three mile area for which stone and gravel was to be supplied to England; because, in that country, one particular spot was liable to find stone for the whole of the trust, which very often extended over many miles. Therefore, England would very greatly benefit by the three mile limit being adopted.

Mr. M'LAGAN said, as it had been the custom from time immemorial to take the material, he did not see how it could be objected to now. He was glad that the whole question had been mooted, for he thought the time had now come when the House ought to decide how far stone should be taken for road purposes without payment, as in many districts the supply had become very scarce. He knew one locality, where a hill had been practically demolished for the purpose of supplying stone to roads at a considerable distance from that quarry; and it was now necessary that the supply for that neighbourhood should come from a distance. Therefore, he thought the distance should be limited; but the three mile limit, as suggested by the Lord Advocate, should be somewhat extended. He considered the Act should expressly provide for compensation being given to the proprietors of unenclosed, yet cultivated, lands which were entered for the purposes of providing material for the maintenance of roads, and even of uncultivated lands though unenclosed, because such land was becoming very valuable in Scotland.

Mr. ANDERSON thought a very strong evidence that no inconvenience resulted from the present custom was to be found in the fact that, in the Acts which had been voluntarily obtained by counties, no attempt had been made to change the practice under the General Turnpike Act. That being so, he considered no great inconvenience could have been felt from the old custom.

LORD ELCHO said, he had been curious to hear the discussion, because the county he had the honour to represent was peculiarly situated both as regarded the carrying of metal for a long distance and also the hardship inflicted on proprietors by the compulsory taking of the stone. Much had been said about there being no right of entry, without compensation, on enclosed land; but he knew a case in East Lothian where a farm had been nearly severed by a quarry. This had been carried out in consequence of the difficulty of getting good metal elsewhere. He objected to metal being carried a long distance; yet he knew one case in which a quarry on an estate had been so worked out that the owner of the soil would soon be unable to get from his estate metal for his own roads, and he would have to draw it for a very long distance. This fact showed that the power to take stone over a large area bore hard in some cases; on the other hand, it was evident that the metal must be got from somewhere. That being so, the Government had acted apparently with a desire to draw what they considered to be a fair line between the two alternatives. Whether that limit should be three miles was matter for consideration—at any rate, he did not think the proprietors in his county would object to the power being retained.

SIR GEORGE CAMPBELL said, that the right existed under the former system, and then it might just as well have been argued that the proprietors who furnished metal for the roads should not pay tolls. The Bill abolished tolls, and the assessment imposed was in lieu of tolls. It was a somewhat strange thing that the extreme doctrines of the rights of private owners as against those of the public should be advanced from his as well as the other side of the House; but he did not believe the hon. Member for the Falkirk Burghs (Mr. Ramsay) would have much support from the Liberal benches. The landlords suffered no real injustice by the provision for taking stone, as compensation was given for actual damage. It had been argued that the metal should be paid for as the supply was getting scarce; but if stone were becoming less, it would be dangerous to deprive the authorities of the power to compulsorily take it, as otherwise the landowners might fix an enormous price for the article of which they had the monopoly. Therefore, he hoped that the Amendment would not be accepted. Also, he was inclined to think that it would be dangerous to limit the right to three miles, as was proposed in the Bill. As to the argument, that so great had been the demand for stone that one of the Scotch hills had been nearly demolished, he could only say that as they had so many hills in Scotland they could well spare a few.

MR. RAMSAY said, he had known cases of very great hardship which had come upon small proprietors by the operation of the Turnpike Act. He was in no way interested in the matter. The hon. Member for Glasgow (Mr. Anderson) was in error in supposing that local Acts contained no provisions on this point. An Act, which he then held in his hand, provided that the trustees should have power to acquire land and such material as was needed, subject to the terms fixed by the "Lands Clauses Consolidation Act." This would prevent an extravagant price being charged—and, in fact, it really became a matter of arrangement. He feared that the conferring of a compulsory power on the trustees would place one great obstacle in the way of the adoption of the Bill. With regard to the cost of the material, he had never known any charge to be made by landowners for the stone used. He would have liked that the law in this particular should be that the Land Clauses Act should be the guide for determining the cost of material.

MR. M'LAREN said, it had not been shown that the rule that obtained in Argyllshire, where the material could be found by the side of the roads, was that which the Committee were bound to follow. Everyone knew that there were hundreds of miles of road where good metal was not to be got at all.

SIR EDWARD COLEBROOKE said, although the subject was worthy of attention, he hoped that the Government would not accede to the Amendment. He was sure the proprietors would not object to the stone on their property being used in their own neighbourhood, He thought that the taking away of the power of the trustees to take material from the roads would raise a very serious question. There was a quarry on the Glasgow and Carlisle road which had been cut almost through a hill, and had become not only an eyesore, but a danger to the district where it was situated. But if power was given to carry stone to a considerable distance, it might be taken 50 or 100 miles to districts where there was a want of materials. He hoped the Government would retain the clause, and that his hon. Colleague would not press the Amendment.

Sir WINDHAM ANSTRUTHER said, in deference to the feeling of the Committee, he would beg leave to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

On the Motion of The Lord Advocate, the following Amendment was made:—In page 50, line 4, to leave out "is consistent," and insert "inconsistent."

Amendment, in page 50, line 17, to leave out from "be" to end of clause (*Sir Windham Anstruther*), by leave, *withdrawn.*

Sir GEORGE CAMPBELL wished to ask the right hon. and learned Lord Advocate, whether the road trustees were to be left to drive a bargain with persons who might happen to have a monopoly of material? He moved, as an Amendment, to omit that portion of the clause which contained the limit of three miles beyond which material was not to be removed.

The LORD ADVOCATE said, with regard to the Amendment of the hon. Member for South Lanarkshire (Sir Windham Anstruther), he had already intimated that the Government considered the limitation of three miles an exceedingly reasonable one, and that under an improved system of road making it would not be right to permit road material to be carried from the land of one proprietor to a road that he had nothing to do with, without compensation for the injury sustained.

Mr. M'LAREN said, he had given previous intimation of his intention to move a similar Amendment to the clause.

Sir GEORGE CAMPBELL said, in that case, he was quite ready to withdraw his Amendment in favour of that of the hon. Member for Edinburgh.

Mr. M'LAREN begged to move, as an Amendment, that in line 22, page 50, the word "three" be omitted, and the word "six" inserted. It was the case that some proprietors would possess harder road metal than others, and the clause would enable them to obtain for it a higher price, the effect of which would be an inducement to the trustees to put worse metal on the roads. Another consequence would be a greater expense in the end, as the roads wonld be more expensive to keep up with inferior metal than with good. The operation of this part of the clause would increase the burden on the particular district concerned, while the favoured individual who sold the metal would get a high price for it at the expense of the ratepayers and the other landowners. He considered that the radius of six miles, which was fixed by the Amendment proposed by him, was a much more reasonable one than that contained in the clause.

Sir GEORGE CAMPBELL did not think any sufficient reason had been shown for changing the existing law, and he considered that in that respect the Lord Advocate was proceeding illogically. Either there was a custom on the footing of an old servitude, or there was not. If there was, the existing law should be maintained; if there was not, he did not see why there should be a compromise by a restriction to three miles. It was true the Amendment of his hon. Friend the Member for Edinburgh (Mr. M'Laren) was a compromise; but it was also one of a very reasonable character—a large portion of the metal used had to be carried more than three miles. He trusted that the Amendment would be considered, seeing that otherwise the clause would make a very great alteration in the existing law and practice.

The LORD ADVOCATE said, he had already indicated his views of this part of the subject. The real practical question of limitation, which he thought to be reasonably fixed at three miles, was one that the Committee should be quite ready to deal with, without having to make comments on the system of macadamising the roads. One very strong reason for the limitation was, that if they did not make it they enabled trustees to prey on one proprietor for the benefit of others who might have long frontages on roads on which he never set foot.

LORD ELCHO wished to know, whether a proprietor was to be allowed to place whatever price he chose on the metal, or whether it was to be settled by the trustees, or by some other mode of reference? It might be that where a proprietor had a monopoly, he would exact a price that would be unreasonable; and, in view of that, he could not help thinking that some power should be vested in the Sheriff, or somebody else, of fixing a reasonable one.

MR. RAMSAY said, the question was not an important one. Had the right hon. and learned Gentleman the Lord Advocate proposed to confine the use of materials to the estate from which they were taken, he could have understood what was intended.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Clause 106 (Recovery and application of penalties).

SIR EDWARD COLEBROOKE begged leave to move, in page 50, line 27, the insertion of the words "or continued in force hereby," after the word "herewith."

THE LORD ADVOCATE said, he quite agreed to this addition.

Amendment *agreed to;* words inserted accordingly.

On the Motion of The LORD ADVOCATE, the following Amendment made:—In page 51, line 23, to leave out "immediate," and insert "immediately."

Clause, as amended, *agreed to.*

Postponed Clause 54 (Power of road authority to recover expenses of extraordinary traffic).

COLONEL ALEXANDER moved, as an Amendment, to omit, from line 24, page 28, the words "by the certificate of their surveyor or district surveyor," on the ground that the trustees ought to be allowed to act quite independently of any such certificate, which would have to be given by their own servant.

THE LORD ADVOCATE said, he objected to the Amendment, considering that the powers intrusted to the Board under this clause were of a delicate character, and that damages ought not to be recoverable unless the surveyor was in a position to certify that they had been sustained by the road.

Amendment *negatived.*

SIR ALEXANDER GORDON moved, as an Amendment, to insert after the word "by," in line 29, page 28, the words "excessive weight passing along the same, or by." The damage that was intended to be prevented by the Amendment was not that resulting from ordinary traffic, but from enormous cars, laden with bales of goods drawn by traction engines, which were not only of themselves too heavy for the roads, but broke down culverts and bridges, for which damage there was no redress.

MR. VANS AGNEW thought it would shorten the discussion if the right hon. and learned Lord Advocate would state what he proposed to do with regard to the passage of heavy weights, traction engines, &c., along the public roads. A great many Notices had been given by hon. Members with the object of removing evils which were likely to arise therefrom, and their course would be made clearer by the expression of the intentions of the Government.

COLONEL ALEXANDER said, if it was the intention of the right hon. and learned Lord Advocate to accede to the clause which would be proposed by the hon. Member for South Lanarkshire it would meet the case.

THE LORD ADVOCATE said, he had understood that the question was to be dealt with separately by a Bill regulating the use of engines on highways. A series of clauses had been proposed by the hon. Member for South Lanarkshire (Sir Windham Anstruther), the terms of which were the same in effect as those contained in the Highways Bill for England, promoted by the Government. He, therefore, had no objection to those clauses being inserted, and made applicable to Scotland; but, at the same time, it was to be remarked that, while regulating, they did not provide for damage occasioned through the overloading of engines. He thought the Amendment was not in the least inconsistent with those clauses.

MR. J. W. BARCLAY said, he was a member of the deputation which waited upon the Home Secretary and the late Lord Advocate a few years ago with reference to this question of locomotives, when a Road Bill was introduced which contained provisions affecting them. The objections to those provisions were so strongly urged that the Home Secretary withdrew the clauses, and they had not been re-introduced. If those who were interested in the use of locomotive engines had known that there was any intention on the part of the Government to introduce such a regulation giving the trustees power to tax engines, he thought they would have made representations that would have produced the same effect as before. As locomotives were in common use all over the country, they ought to be dealt with by a special Act, and it was clear that a regulation for taxing them would be a revival of the toll system. How was the case of locomotives to be dealt with that, perhaps, went only once or twice a-year a distance of two or three miles in a county? The clauses proposed to be introduced with regard to extraordinary traffic would be very difficult to work. He hoped the Government would not commit themselves to deal in this Bill with the question of road locomotives, seeing that it was generally understood by those interested that they would not do so.

MR. MARK STEWART said, he was quite impartial on this question. He was not at all willing that any undue taxation should be imposed on these engines; but, at the same time, no one could shut his eyes to the fact that the mischief and destruction caused by them was enormous and almost incalculable. Not long since, a case was brought to his notice of a traction engine that was rented for £5, doing damage to the extent of £500 during the first year of its use. The strong point in favour of traction engines was their great advantage to the farmer, who could not only by their use thrash his crop wherever he chose, but in a far better way than under the old system. Looking from that point alone, it would be a great loss and injury to the country if a stop were put to the use of traction engines on the roads; but it was a great grievance that persons should use traction engines for the purpose of transporting hundreds of tons of lime, coal, or bricks, thereby rendering the roads practically impassable. It was only fair that some step should be taken; and if the matter were left to the road trustees he felt quite satisfied that, as they were connected with the tenantry of the district and anxious to promote their welfare, they would be able to make equitable arrangements for the protection of the roads. While taking precautions for that purpose, they would have in their own hands the power of making regulations for the proper management of traction engines. There were several points connected with the question which, no doubt, must crop up again; meanwhile, he was glad to support the hon. and gallant Baronet (Sir Alexander Gordon) who moved the Amendment.

COLONEL MURE urged that the matter should be deferred until the new clause dealing with it was brought up.

SIR EDWARD COLEBROOKE pointed out that the framework of the clause was not adapted to deal with this particular question. The particular clause was meant to give power to trustees to bring people before the Sheriff in cases where they caused extraordinary damage by extraordinary traffic. He, therefore, joined the hon. and gallant Member for Renfrewshire (Colonel Mure) in urging that they could better deal with the subject in a new clause.

MR. RAMSAY thought the disadvantage of discussing the question at that moment, and, indeed, in connection with the Bill at all, arose from the fact that those who were interested in the use of traction engines were under the impression that the subject was not to be dealt with by the measure. It was certainly a question of importance, but the public had not had it under their consideration. To no one, he might add, was it of more importance than to agriculturists who employed steam power in their farming operations. He would suggest, that if a separate clause dealing with the matter were to be introduced at a subsequent period of the discussion on the Bill, it would be better to remove all reference to it in the clause before the Committee.

SIR ALEXANDER GORDON said, his Amendment did not necessarily apply to locomotives.

MR. ORR-EWING said, he was of opinion that it would not be wise to insert the Amendment in the present clause. It would be much better to make the question which it raised the subject of a separate clause. He would remind the Committee that, besides traction engines, there might be other heavy weights employed in the traffic upon the roads, and their case, he contended, the Amendment would not meet. If the operation of the clause were to be made to extend to "building operations, haulage of wood, and construction of works," a great injustice, he could not help thinking, would be done, and much strife in almost every district would be the result. What was the meaning, he would ask, of the words "haulage of wood?" Did they not apply to the case of a proprietor who cut down his own wood? If so, was it fair that under such circumstances a proprietor should be called upon to pay additional taxation for the temporary use of the roads.

Mr. ASSHETON CROSS: I am sure the hon. Gentleman will excuse me for interrupting him. The words "haulage of wood" have already been dealt with, and are included in the Bill.

Mr. ORR-EWING maintained that there should be in the Bill no provision for the purpose of compelling a proprietor to pay additional taxation who might not have used a road for the "haulage of wood" more than, perhaps, once in a period of 50 or 60 years. Let him suppose, too, the case of a gentleman in a villa, who had no house, who went by railway to and from his residence, and who at last thought fit to build another house—why should he, he would ask, be subjected to additional taxation for the temporary use of the roads? He could not regard the position in which the Bill would place a man so situated as a fair one. The result would be litigation without any corresponding advantage; and he hoped, therefore, that such cases would be excepted from the operation of the Bill.

Amendment *agreed to.*

Sir EDWARD COLEBROOKE said, he wished to propose the omission from the clause of the words—

> "Arising from working of quarries, building operations, haulage of wood, construction of works, or other exceptional or temporary cause,"

which had reference to the question of "extraordinary damage."

Mr. VANS AGNEW said, he had an Amendment to propose which came before that of the hon. Baronet. It had, in the course of the discussion which had just taken place, been stated that it was not desirable to deal with locomotives until the new clause which had been referred to came before the Committee. He must, however, point out that that clause, while it was proposed by it to regulate the traffic of locomotives, would give no remedy for "extraordinary damage" done by them. The clause before the Committee, however, was one which provided a remedy for such damage, and there was no doubt that the greatest injury which had of late been sustained by the roads in Scotland was due to the passing over them of traction engines. He had received from a gentleman residing in the county which he had the honour to represent, an account of an enterprizing individual who had started as a carrier in the town of Stranraer, and who took goods about on a traction engine over roads which were utterly unsuited to such traffic. Eight or 10 tons of manure or lime were at a time conveyed in that way; and although, in consequence, a farmer might be saved 10*s.* or 15*s.* in the shape of carriage money, the roads were broken up to so great an extent by the traffic that more than £10 worth of damage was done to the roads by the engine—which was running daily—in a single trip, for parts of the roads in the particular district to which he was referring formed merely a thin crust over a mossy sub-soil. That, however, was a comparatively small matter, for considerable danger and annoyance to ordinary travellers was caused by those engines, because a great many of the less important roads were not wide enough to admit of a cart or carriage passing a traction engine; and the result was that it was no uncommon thing to see an engine break through the crust, and sink up to the axle, thus completely stopping the traffic until it was dug out at the expense, not of the owner, but of the road trustees. As the present clause was that which applied to the payment of damage to roads, he thought it afforded the proper opportunity to enter upon the question of the regulation of the traffic of locomotives, and on that of the remedy which should be given for the damage done by them when used by their owners for their own profit on roads which were unfitted for them. As matters now stood, there was no law in existence to prevent the owner of a locomotive from employing it over any road in any county in Scotland; and although, if it broke down a bridge, he could be made to pay for the damage, yet it might damage any number of miles of road and he would not be liable to the payment of a single farthing. He begged, therefore, to move the insertion in the clause, after the words which had been last inserted, of the words "passing of traction engine or other locomotive, or by."

~~MR.~~ J. W. BARCLAY said, he did not approve of the clause at all, but he thought it would be made worse if the Amendment of the hon. Gentleman were adopted. An Amendment which had already been agreed to by the Committee would, it seemed to him, meet the case, because it applied to excessive weight passing along the roads.

MR. MARK STEWART said, that so far as he could see, the only advantage which could result from assenting to the Amendment would be that it would have the effect of making the clause somewhat more plain.

SIR EDWARD COLEBROOKE said, he did not see why he should have been forestalled by the hon. Member for Wigtonshire (Mr. Vans Agnew). His object was the same as that which the hon. and gallant Member for South Ayrshire (Colonel Alexander) had in view. His hon. and gallant Friend wished to move to increase the number of cases to which the clause should be made applicable, and to specify them. Now, in his opinion, any attempt to define the particular cases which might arise under the operation of the clause would only serve to land the Committee in difficulties. It would be far better, he thought, to have the clause simply general, so as to leave the power of applying a remedy to unforeseen cases of extraordinary traffic. He himself had experienced serious difficulty in the endeavour to draft a clause to provide for exemptions in a Bill which he had introduced in that House last year. There were a number of cases which were governed in the end by the same authority; and if a new case arose, though the traffic might be extraordinary, and the damage done very great, it could not be dealt with unless it was specified in a clause which professed to be specific. He would put it to his hon. Friend the Member for Wigtonshire (Mr. Vans Agnew) whether it would not be better to leave the clause general, so that the road authority might be enabled to recover for damage done, in a summary manner, before the Sheriff. He claimed the support of Her Majesty's Government for that appeal, because in the Highways Bill, which had lately been amended, the words "temporary cause" had been omitted. The interpretation of those words was a matter of some difficulty, because there would be no remedy where the excessive use was not temporary; and, as he had pointed out, there would be great difficulty in defining the word "temporary." His Amendment, if adopted, would exclude from the clause the words—

> "Arising from working of quarries, building operations, haulage of wood, construction of works, or other exceptional or temporary cause."

He hoped the Government would agree to the omission of those words.

THE LORD ADVOCATE wished to say at once that he was quite prepared to accept the Amendment of the hon. Baronet.

MR. VANS AGNEW said, he had no wish to insist on the words which he had proposed, provided it was made perfectly clear that the damage done by locomotives was to be taken into account.

Amendment (*Mr. Vans Agnew*), by leave, *withdrawn.*

Amendment (*Sir Edward Colebrooke*) *agreed to.*

SIR ALEXANDER GORDON moved the insertion before the word "traffic," page 28, line 37, of the words "or excessive weight."

THE LORD ADVOCATE said, he had no objection to accept the Amendment.

Amendment *agreed to.*

MR. ANDERSON moved that the following words be added in page 28, at the end of the Clause:—

> "And similarly, in exceptional cases, where it can be shown that mines, quarries, and other

works convey their products or goods by rail or canal and not by road, it shall be competent to the authority to make reductions in the uniform assessment, and also to enter into agreements for the payment of a composition of said assessment of from one-fourth to one-half in respect of such limited traffic, and thereafter the person so paying such composition shall not be subject to any proceedings for the recovery of any further sum."

The object, he said, of the Amendment was to provide for another exception in a different direction. Personally, he was not in favour of introducing exceptions into the Bill; but as the Government had made exceptions providing extraordinary taxation for extraordinary traffic, he thought they were logically bound to provide diminished taxation for diminished traffic. There were a great many properties in Scotland of which the rateable value was exceedingly high, yet they would not use the roads at all. In the case of mines, quarries, and a great number of other industrial works, all the goods and products were carried either by railway or by canal. They would, therefore, receive from the roads benefit to nothing like the extent of the money which they would be called upon to pay for their maintenance under the operation of the Bill. The hon. Baronet the Member for North Lanarkshire (Sir Edward Colebrooke) had an Amendment on the Notice Paper, the terms of which were similar to his; while it fixed more exactly the amount of the impositions to be paid. It was, however, entirely a matter of indifference to him whether the proportion was fixed at a quarter, or as in his, varied from a quarter to a half; but there should, at all events, in his opinion, be some such reduction made as he proposed.

Amendment proposed,

In page 28, at the end of the Clause, to add the words "and similarly, in exceptional cases, where it can be shown that mines, quarries, and other works convey their products or goods by rail or canal, and not by road, it shall be competent to the authority to make reductions in the uniform assessment, and also to enter into agreements for the payment of a composition of said assessment of from one-fourth to one-half in respect of such limited traffic, and thereafter the person so paying such composition shall not be subject to any proceedings for recovery of any further sum."—(*Mr. Anderson.*)

Question proposed, "That those words be there added."

THE LORD ADVOCATE rose merely to say that he could not accept the hon. Gentleman's Amendment. He could not see that there was any similarity between the exceptions made in the clause as it stood, and those which the hon. Gentleman wished to introduce into it. The principle of the Bill was that all lands and heritages should be taxed for the use of the roads, and the exceptions in the clause were not exceptions in favour of anyone in respect of that use, but in respect to the abuse of the roads. It was only that exception which was provided for in the clause.

SIR EDWARD COLEBROOKE could not agree with the right hon. and learned Lord in the opinion that there was no similarity between the two cases to which he had just referred. The proprietors of mines and quarries had, he thought, some claim to consideration in those cases in which their traffic was carried over railways constructed by themselves. Unless that consideration was extended to them, great injustice, he contended, would be done by the Bill as between man and man in several instances. From the first, he had maintained that the toll system possessed certain advantages for those who used the roads, and that that system could not be changed, and the cost of keeping the roads in repair thrown upon the rates without causing great inequality and injustice. That was a state of things which it was, he thought, the duty of the Committee to face. If a case were shown in which it was desirable to make an exception, they were bound to deal with it. For his own part, he had based his case mainly on the question of mines and minerals. Public works were as a rule, no doubt, rated pretty heavily; but still at a rate far less in proportion to their value than many other descriptions of property in their immediate vicinity. Mines, on the other hand, were taxed not merely on the full rental, but upon an annually decreasing profit. He knew of cases in his own county in which mines were actually worked out, and had yet been rated as if their value had undergone no diminution. But that upon which he chiefly rested the case of iron and coal mines in the present instance was that ample provision was made for carrying on their traffic quite independently of the roads of the country. Indeed, it was only upon such conditions that mines could be properly worked, and if they were taxed for the carriage of minerals which were conveyed upon their own roads, an injustice would undoubtedly be done so far as they were concerned. He was quite aware that a strong prejudice existed against making any general exemptions; but the facts relating to mines were so staggering that they were entitled to be fully considered by the Committee. The question was one which had been considered by a Royal Commission, although in a different sense, and that Commission proposed that as the traffic of minerals cut up the roads very much, an extra tax should be imposed whenever it was proved that it had had that effect. That was virtually what was proposed to be done by the present Bill; but he contended that if it were only once generally known that, so far from unusual traffic on the roads being caused by the carriage of minerals, they carried on their traffic independently of those roads, it would unhesitatingly be admitted that they had a strong claim to exemption. The case he was endeavouring to lay before the Committee had been so very fairly put in a Petition which had been laid before the House within the last two or three Sessions, that he need do nothing more than remind the Committee of a remarkable fact which it stated, and that was that in the case of one of the largest ironmasters in Scotland, only 243,000 tons of minerals, out of a gross total of 10,168,000 tons—or less than an average of 2¼ per cent—had been carried along the public roads in Scotland during a given period, the rest having been conveyed along roads which had been constructed by iron, coal, and other mining proprietors themselves. There were, of course, mines the traffic of which was worked by means of country roads; but with these he did not propose to deal. He would only add that if there were any doubts entertained with respect to the facts of the case, it was the plain duty of Parliament to cause an inquiry to be instituted into the matter. The result of any such inquiry would be, he firmly believed, to substantiate the view of the case which he had deemed it to be his duty to lay before the Committee.

COLONEL ALEXANDER expressed a hope that the right hon. and learned Lord Advocate would re-consider the decision at which he had arrived with regard to the Amendment. It seemed, he must say, to be a very fair proposal. He represented a county which was very similarly situated to that which the hon. Baronet who had just sat down represented, and he could bear testimony to the fact that the mineral proprietors of Ayrshire made no use of the public roads inasmuch as they had constructed private railways; while the increased taxation to which they would be subjected if the clause were to pass in its present shape would be something enormous.

COLONEL MURE said, he also stood very much in the same position with respect to the question as the hon. Baronet the Member for North Lanarkshire (Sir Edward Colebrooke), and was strongly of opinion that it was most desirable the right hon. and learned Lord Advocate should reconsider his decision in regard to it. The Committee were aware that the iron trade of Scotland was not at the present moment in a very satisfactory condition—a fact which was, no doubt, to be, to a great extent, attributed to the general depression of trade throughout the country; but it must not be forgotten that the mining interests in Scotland had also been greatly burdened by the action of labour, and by those imposts which had already been placed upon it for the protection of labour. In order to show the condition to which, in consequence, the iron trade had been reduced, he might mention that he was informed Scotch builders were procuring the iron which they required from Belgium, and that the iron used in the construction of the magnificent new railway station in St. Enoch Square, Glasgow, had to be got from Belgium, owing to Scotch ironmasters not being able to compete with their foreign rivals. The present, therefore, was not a time when the Government should refuse to accept so reasonable an Amendment as that of the hon. Member for Glasgow. He would call the attention of the right hon. and learned Lord to a few figures which had been supplied to him by one of the great ironmasters in Scotland. He would quote those figures in order to show the great increase of burdens that would be caused to that particular firm if the Bill were allowed to pass in its present form. He would not mention the name of the firm, but would state that the approximate cost of one of the sidings and the railway to their ironworks and collieries was between £70,000 and £80,000. The length of the railway was 40 miles, and the cost of its maintenance was £4,200 per annum; whilst the amount of the yearly rent upon the minerals for which they were liable was £33,728. At present the company paid £150 a-year; but they calculated that, under this Bill, they would be mulcted in charges to nearly six times that amount—that was to say, they would have to pay to the amount of £870. He thought that this was, at least, a case for inquiry, and that more notice should be taken of it than had been done by the right hon. and learned Lord. He knew that the Committee laboured under a difficulty when discussing questions of this kind in an almost empty House, and when hon. Members came rushing in from the dining rooms to vote against an Amendment, of the principle of which they actually knew nothing; but he ventured to say that, as far as mercantile interests were concerned, more notice ought to be taken of the provisions of the clause than had been shown by hon. Gentlemen sitting on the other side of the House. He hoped sincerely that the Home Secretary and the Lord Advocate would not set aside the claims of the mineral interest in Scotland, but would grant them those advantages to which they were entitled.

Sir GRAHAM MONTGOMERY thought that the Amendment of the hon. Member for Glasgow (Mr. Anderson) opened up a wide question. It might be true that the minerals from the quarries might not pass over the roads; but surely machinery, provisions, and other things necessary for their working were at times conveyed over them. They could not expect in a Bill of that kind to make all interests even. Were there no inequalities in the case of agricultural land and sheep farms? Take a sheep farm with a rental of £2,000 or £3,000 a-year. The farmer in such a case never used the roads except once or twice a-year; the sheep were never passed over the road if the farmer could possibly help it; and yet the sheep farmer was to be taxed in the same way as the ordinary agriculturist who was using the roads every day. If they once got into this question of exceptions, there would be no end to them. He hoped the Government would stand firm upon the point.

Colonel MURE said, the point of the whole thing was, that the ironmasters had made their own roads; whilst the owners or the tenants of the sheep farms had made no roads at all. They had made nothing except their sheep-walks. What he wanted to point out was, that a very large amount of capital had been expended in making roads for mineral purposes, and if the proprietors were not to obtain some advantage for the expenditure of their capital, a great hardship must ensue.

Lord ELCHO begged to dispute the view taken by the hon. and gallant Gentleman opposite (Colonel Mure). He did not think that the amount of money which had been laid out by mineral proprietors at all affected the question of principle. They had laid out their capital for their own good. He had no doubt the sheep farmer also did not use the roads; but that did not affect the general principle, whether all property should be assessed at the same rate or not. There were thousands of people who did not injure the roads at all. They only walked along them. Every little village in Scotland had a general interest in the roads; and it might just as well be said that their inhabitants should be exempted, because they did not use the roads except to get their meat and bread. In the same way, as had been pointed out, the people belonging to the mine used the roads for getting their tea and bread and a hundred other things. If these mines caused extraordinary damage to the roads, they would be rated at a higher figure; but if they did not damage them, they would only be in the position of every poor body in Scotland who did not use the roads, but was yet taxed on his £5 of rent to maintain them. If there was hardship in the one case, there was also in the other. There was another description of property to which the argument applied. He had been asked by a gentleman interested in the salmon fisheries to say that he did not send his fish over the roads, and therefore he considered it a hard thing that he should have to pay for them. All property, however, was interested in the roads of the country generally, and the argument of his hon. and gallant Friend opposite, he thought, was not one that should be adhered to. It appeared to him that the Bill of the right hon. and learned Lord Advocate did substantial justice to all interests.

MR. RAMSAY could not agree with the noble Lord opposite (Lord Elcho), nor with the clause. If there was any infringement of the principle of the Bill, it was that the Government had introduced a clause enabling them to charge for extraordinary traffic. He thought the Motion of the hon. Member for Glasgow (Mr. Anderson) was a logical and equitable sequence to that clause. In the majority of cases the proprietors of minerals did not use the public roads at all. They used their private roads, made at their own expense, for the purpose of having their goods conveyed to their destination, without ever passing over the public roads at all. He should have preferred the Amendment of the hon. Member for North Lanarkshire to that of the hon. Member for Glasgow; but the principle of either the one or the other was exactly the principle of the clause. He did hope, therefore, that the Amendment proposed should be agreed to—namely, that a reduction should be given—a corresponding reduction—where it could be shown that any mineral owner was not using the roads. Unless that was done, the Bill, if agreed to, would be the means of inflicting a positive injustice, because it would give power for the mineral owners to be assessed at the full rate. Supposing a man had two mines, one of which he approached by a public road and the other was reached by means of a railway, and a public road was not used at all. According to the Bill he would be assessed on both mines for his use of the public road; and no corresponding reduction would be made in respect to the mine that was approached by the railway. It was obvious that in such a case injustice would be done. He thought it was quite obvious they might use the term injustice without any abuse of language in such a matter as that; and he hoped the Committee would agree to the Motion of the hon. Member for North Lanarkshire.

THE LORD ADVOCATE said, it was impossible to disguise the fact that the Amendment of the hon. Gentleman (Mr. Anderson) raised a very important question—one of far greater importance, if the Committee examined the principle of it, than had ever yet been suggested; because, if they were to take the test of absolute fairness and equality in the matter of assessment imposed upon lands and heritages in Scotland, it would lead to a revisal of almost every local and public burden in Scotland. It would not do to depart from the principle of the Bill. He ventured to say, however, in many cases—in all cases since the valuation roll was established by the Act of 1854 — the ownership of lands and heritages of whatever kind, except in one or two cases, had been taken as the basis of taxation. The hon. and gallant Member for Renfrewshire (Colonel Mure) introduced the present state of trade in reference to the question, and he (the Lord Advocate) ventured to say that they would get into the greatest difficulties if that matter were entered upon. They could not stay to inquire what a person was making in relation to the valuation on which he was assessed. If the case of two householders was taken, one living on one side of the road and another on the other side, in the one case there was a small rental and a large establishment, and the man used the roads. The other man paid a far larger rental and never used the roads. He contended that in those cases the assessment could not be made to differ. If there were works in that district which used the railways, those works could not be carried on without local supplies; and there were hundreds of other cases on behalf of which the same argument could be advanced—such as railways and canals—but in these cases they made their own roads, for in effect they were roads and competing roads. In this matter the principle of the Bill should be adhered to, and the question of differential rates should not be taken up. The hon. Member for Glasgow said the Government had departed from the principle of the Bill, but that he (the Lord Advocate) denied. He could not accept the Amendment proposed.

MR. M'LAREN considered that some allowance should be made; and, therefore, he would suggest that the words "one-fourth to one-half" in the Amendment should be omitted, and that it should be left to the authorities to allow such reductions as, in their opinion, the circumstances called for. It seemed to be assumed that it was the traffic alone that destroyed the roads. It had not been shown that frost and rain would create injurious effects, even if there was no traffic at all. There were many roads which, if they were left for four or five years, without even a cart going over them, would require to be repaired in that time. The owners of the shipbuilding yards on the Clyde might say that factories behind them, valued at the same amount as themselves, would only pay one-fourth; whilst they, in respect of their yards, would be charged at the full rate, and yet they never used the roads at all. There would be no justice in making exceptions in the cases of mines and not extending it to all other cases. The Amendment stated—

> "And similarly, in exceptional cases, where it can be shown that mines, quarries, and other works, convey their products or goods by rail or canal, and not by road."

It would require very close investigation to make out every class of cases which ought to come under the exception; consequently he would say nothing about the "one-fourth or one-half," but would leave it to the authorities themselves to decide the extent of the allowance.

Mr. ASSHETON CROSS said, there must be equal rules for assessment as far as concerned the rates for the use of the roads all through the country. It was absolutely impossible they could say A should pay so much and B so much. They would never be able to arrive at any accurate conclusion. The only thing was, that everyone must pay alike, as they all paid taxation alike, in order that the roads might be kept up. A man was called upon to pay taxes, although he might not get the benefit of the actual particular tax which he paid; but when the question of excessive use was come to, that was another matter. The maintenance of the roads fell upon all alike. A and B might not use the roads for any purpose whatever; but they might prevent others from using them by absolutely destroying them. Hence it was absolutely necessary that all should contribute. He should, therefore, vote against the Amendment.

Sir TOLLEMACHE SINCLAIR thought the Committee could not possibly agree to the Amendment, as there were so many classes of property—shootings, fishings, sheep farms, and the like, which would claim exemption, and consequently great difficulties would arise.

Mr. DALRYMPLE said, that notwithstanding the important principles laid down by the Lord Advocate and the Home Secretary, he should support the Amendment. It seemed to him that the objections made to the Amendment were not valid ones. They would be answerable as against a proposal to exempt owners of mines and others from payment; but the Amendment asked for a reduction only, and he could not see why it should not be conceded. The fact that the mineowners, and the owners of quarries, and other works, had made roads for themselves, was conclusive that they abstained from the use of the public roads, and thereby spared them. It might be said that the existence of such centres brought a population around them who used the roads; but it must be known to everybody that they only used the roads for walking upon, or for having provisions brought to their homes. He maintained, therefore, that in certain cases a reduction in the assessment should be made.

Mr. M'LAGAN said, that notwithstanding what had been said by the Government, he should support the Amendment. The sheep farmers, who never made a road, used those made by the counties; whereas, in many cases, the mineowner did not use them at all, but passed his goods over his own railway. Under such circumstances some exceptions should be made; for it was most unjust to assess at the full assessment. An abolition of the tax was not asked, but they simply desired to effect a reduction. If the clause was passed, mineowners would be made to pay not only on the value of their buildings, but on the railways by which the tear and wear of the public roads would be saved, and on the fixed rents or royalty of the minerals which were being exhausted, and thus the assessment would be raised enormously.

Sir WILLIAM CUNINGHAME although fully admitting the strength of the arguments used by the right hon. and learned Lord below him (the Lord Advocate), did not feel inclined to oppose the Amendment, seeing that it was of a permissive character — the road trustees having power to make the proposed reduction, or not, as they thought fit. In that respect, it seemed to him that the Amendment compared very favourably with other Amendments moved to the same effect by the hon. Member for North Lanarkshire, who left the question to be decided by the Sheriff of the county. Perhaps, as this was a mere permissive power, the Lord Advocate would see his way to grant it.

MR. ORR-EWING hoped the right hon. and learned Lord would not yield to the Amendment. He believed it would work unfairly, because the traffic passing along roads from mines was really very great indeed compared with the ordinary traffic. So far from lightening, this Bill added considerably to the burdens of the landowners; and he thought it would be very unfair to that class, and to small burghs, to allow the exemption proposed. He knew that the argument was that mineowners had not hitherto paid much toll, but they had shown that they had suffered very largely by changes that had been made. It was very true that they had hitherto paid many tolls. It seemed to him it would be unfair, when Parliament was making this great change, if they made any exemptions—they should all sail together. Landowners, mineowners, and manufacturers all sailed in the same boat, and he was sure the benefits they would all derive from improved roads would make up for any immediate inconvenience which the Bill might entail upon them.

COLONEL MURE said, there seemed to be an impression in the House that they wanted these parties exempted. They wanted nothing of the sort. The principle of composition in the matter of value had always been recognized, and the Amendment provided nothing more than that it might be resorted to in certain cases.

MR. ANDERSON remarked that the arguments of the right hon. and learned Lord (the Lord Advocate) would have been very good indeed, if he had never introduced the clause at all; but that, having introduced the clause, he had set an example for exceptions and had entirely cut away the ground from under his own feet. The right hon. and learned Lord said the two cases were not analogous, because he said he only allowed an extra charge for "abuse of the roads." Now, one so-called abuse was the "construction of buildings or works." That, surely, could not be properly called an abuse. Instead of being an abuse, it was only a temporary extra use for the purpose of creating new rateable subjects to pay for the roads. He was aware the words "construction of buildings or works" had now been struck out of the clause; but the Government intentions must be judged by the clause as they introduced it. He contended that it was extra use, not amounting to abuse; and if an allowance ought to be made for that, it equally ought to be made for "reduced use," which was the principle of the Amendment. The case of railways had been so well argued that he need not mention that the railways were evidently fed by the roads. All the railways touched upon the roads, and the traffic was supplied by them. He asked for no complicated exemptions, but for a small reduction, in the fixing of which considerable latitude would be allowed. He was not wedded to his own words, and if the principle he contended for were conceded, he would accept any reasonable form of Amendment which the Government might propose. Failing that, he should feel it his duty to take the sense of the Committee on his claim, which appeared to him a perfectly just one.

SIR EDWARD COLEBROOKE maintained that, in placing an Amendment on the Paper for a modification of valuation in certain cases, he was not proposing any new principle; but was only asking for some modification of valuation in special cases, in order to adapt the valuation to the special circumstances of the case. It was notorious that such modifications had been made in the General Police Improvement (Scotland) Act, and in various other measures relating to canals, railways, gas, and water, &c. Indeed, he did not see that his opponents had a leg to stand on. The railways actually benefited by the roads. There might be cases in which a road was a rival to a railway; but they were exceptional, the rule being that roads were the feeders of railways.

SIR TOLLEMACHE SINCLAIR denied that the proprietors of sheep farms were unlike the proprietors of mines in this respect—that they did not make roads. He knew many proprietors of sheep farms who had made roads at their own expense, and he himself had constructed upwards of 20 miles of roads for his tenants.

Mr. J. W. BARCLAY warned the Committee that if the exemptions now asked for were granted, he should claim a similar one on behalf of manufacturers whose establishments were connected with railways by sidings, and not by roads.

Question put.

The Committee *divided*:—Ayes 31; Noes 59: Majority 28.—(Div. List, No. 178.)

The CHAIRMAN pointed out to the hon. and gallant Member for South Ayrshire (Colonel Alexander), who had the next Amendments on the Paper, that these Amendments scarcely came within the scope of the clause.

Amendments, by leave, *withdrawn*.

On Question, "That the Clause be agreed to,"

Sir EDWARD COLEBROOKE rose to move that the following words be added to page 29, at end:—

"Provided also, That, where it is proved to the satisfaction of the sheriff that any mines or minerals are connected directly, or by private railways or canals, or by railway sidings, with any railway or canal constructed or maintained under the authority of any Act of Parliament, or with any public river by which such minerals are conveyed, or with any works at which such minerals are manufactured, the annual value of such mines or minerals shall, for the purposes of all assessments under this Act, but subject to the other provisions of this section, he held to be one-fourth part of the annual value thereof as entered in the Valuation Roll."

The CHAIRMAN said, the Amendment appeared to him to embody the principle upon which the Committee had just pronounced its opinion.

Sir EDWARD COLEBROOKE said, that under these circumstances he would not move it.

Amendment not proposed.

Question put, and *agreed to*.

On the Motion of the Lord Advocate, the following clause was *agreed to*, and *added* to the Bill, after Clause 45:—

(Burgh within county where Act not in force may, by agreement or otherwise, assume management, &c. of highways within it.)

"In any county in which tolls and statute labour have been abolished or are not exigible, and in which this Act is not in force, it shall be lawful for the local authority of any burgh situated therein, being a burgh within the meaning of this Act, at a meeting summoned for the purpose on not less than one month's notice, by special advertisement, to resolve to undertake the management and maintenance of the highways within the burgh; and it shall thereupon be lawful for such local authority to agree with the county road trustees or other authority having the charge of the highways within the county as to the terms upon which the highways within the burgh, together with a proportionate part of the debt, if any, affecting the highways within the county, shall be transferred to such local authority, and, failing agreement, the said terms shall be settled on summary application by the sheriff, whose decision shall be final, and upon the parties agreeing as aforesaid, or upon the terms of transference being settled as aforesaid, the highways within the burgh shall be transferred to and vested in the local authority thereof who shall have the entire management and control of the same, and shall possess the same rights of assessments and other rights, powers, and privileges (including the appointment of a clerk or clerks, surveyor or surveyors, and other necessary officers), and be subject to the same liabilities in reference to the highways (including the construction of new roads and bridges) therein, and debt, if any, affecting the same, as the burgh local authority of any burgh under this Act possess and are liable to in reference, roads, highways, and bridges (including as aforesaid), and also in reference to the streets within such burgh: Provided always, That any such resolution of the local authority of a burgh may be rescinded, with the consent of and on such terms as may be agreed upon with the County Road Trustees or other authority as aforesaid, and thereupon the original rights, powers, privileges, and liabilities of the said County Road Trustees or other authority in regard to the highways within such burgh, and the debt, if any, affecting the same, shall revive in full force and effect."

The LORD ADVOCATE said, he did not think it would be necessary for him, in now addressing the Committee, to enter in detail into the circumstances which had led to the introduction of the clause he was about to propose. There was no doubt that the position of the City of Glasgow towards the adjacent counties of Lanark and Renfrew was a very peculiar one. After the Bill of last Session had been withdrawn, he took occasion to institute inquiries into this subject; and after the Report which was made to the Home Office had been communicated to those who were interested on both sides, effect was given in the clause he was about to move to the recommendations which had been made. He did not think it was necessary for him to say any more on the subject, and therefore he would content himself with simply moving the clause, reserving to himself the right to make further observations upon it, in case he should deem it right to do so. He moved, after Clause 85, to insert the following Clause:—

(Special provisions for highways in counties of Lanark and Renfrew.)

"Whereas it is expedient to make special provision in this Act in regard to the highways within the counties of Lanark and Renfrew: Be it enacted as follows:

"This Act shall commence to have effect within the counties of Lanark and Renfrew (including the burghs situated or partly situated therein) on the first day of June, one thousand eight hundred and eighty-two, but subject to the provisions following (that is to say):

"(1.) The debts affecting the turnpike and statute labour roads within the counties of Lanark and Renfrew, including the burghs therein situated, after having been valued as hereinbefore provided, shall be charged, and are hereby allocated upon the said counties and the burghs therein situated, in the proportion of their respective valuations at the commencement of this Act, as appearing from the valuation rolls then in force. The debts so allocated shall in all respects be deemed to be debts allocated in terms of this Act, and all the provisions of this Act with respect to debts which have been valued and allocated shall have effect with reference thereto;

"(2.) The city of Glasgow, and the burghs of Rutherglen, Govan, Partick, Maryhill, Hillhead, Crosshill, Kinningpark, Pollockshields, and Govan Hill, shall jointly contribute the sum of twelve thousand five hundred pounds annually towards the cost of maintaining the roads, highways, and bridges within the counties of Lanark and Renfrew. The said sum shall be a charge upon and be paid by the said city and the said burghs, in the proportion of their respective valuations at the commencement of this Act appearing as aforesaid, and shall be divisible between and be paid to the said counties, or any districts into which the same may be divided in terms of this Act, in the manner and in the proportions which shall be determined by a Commissioner appointed for the purpose by the Secretary of State, and shall be applied towards the maintenance of the roads, highways, and bridges within such counties or districts respectively, and in diminution, pro tanto, of the assessments for such maintenance leviable therein in terms of this Act. The amount falling to be paid by each such city and burgh to each such county or district respectively shall be payable at the expiration of one year from the date at which tolls shall cease to be exigible within such county or district, and at the expiration of each successive year thereafter; and if not paid when due, may be recovered with expenses in the Court of Session, at the instance of the County Road Clerk of the county. The Secretary of State may make orders as to the remuneration and travelling or other expenses of the said Commissioner, and as to the parties by whom such costs shall be paid, and the funds or assessments against which they shall be charged; and the Court of Session may interpone their authority to any order made by the Secretary of State as to such costs, and may grant decree conform thereto, upon which execution and diligence may proceed in common form;

"(3.) If it shall appear to the local authority of Glasgow, or of any of the burghs mentioned in this section, that any road, highway, or bridge, within two miles of their respective boundaries, is not, in whole or in part, maintained in a sufficient state of repair, having regard to the traffic passing over the same, it shall be lawful for the clerk of such local authority to apply, in a summary way, to the Lord Ordinary on the Bills in the Court of Session, and the Lord Ordinary, after inquiry, may make such order as to him shall seem proper to remedy the evil complained of, and may ordain the said order to be carried into effect by, and at the sight of, such persons as he may think fit, and at the expense of the county, or district, as the case may be, and such order, which may also dispose of the expenses of the application, shall be final and not subject to review. The sums expended in terms of this section shall be deemed to be sums expended in the execution of this Act;

"(4.) From and after the date at which the annual contribution mentioned in this section shall commence to be payable, the sum of eight hundred and sixty pounds now payable by the lord provost, magistrates, and council of Glasgow as coming in place of the board of police of Glasgow to the statute labour road trustees of the barony parish of Glasgow, and the sum of sixty pounds now payable by them to the statute labour road trustees of the parish of Govan respectively, shall cease to be so payable;

"(5.) The populous places of Govan, Partick, Maryhill, Hillhead, Crosshill, Kinningpark, Pollockshields, and Govanhill shall, irrespective of their population, be deemed to be burghs within the meaning and for the purposes of this Act."

New Clause—(Special provisions for highways in counties of Lanark and Renfrew,)—(*The Lord Advocate,*)—*brought up*, and read the first time.

Question proposed, "That the Clause be read a second time."

MR. ANDERSON rose to object to the clause being read a second time, and to move its rejection. The right hon. and learned Lord Advocate had stated that it was founded on a private Report which had lately been sent to him; but he (Mr. Anderson) could refer to a much better document than that Report—namely, the Report of the Commission of 1859, which had taken no such absurd view of the relative positions of towns and counties. No such thing had ever been heard of as the proposal to saddle Glasgow with such exceptional legislation as that. But some unknown individual had been sent down from the Home Office to make some secret inquiry, and though he did not wish to say anything against him, he must remark that that individual had been marvellously deficient in common sense, and had allowed himself to be hoodwinked by the counties of Renfrew and Lanark; for he had reported to the Government to such purpose that they had brought in a clause which was absolutely unjust to Glasgow. By the Bill, as it originally stood, it was proposed to add an additional burden of 10 miles of roads to Glasgow, which at present were maintained by the county trusts, in addition to Glasgow having to keep up her own roads and streets. Glasgow did not object to these 10 miles, on the footing that the counties keeping up those roads at present would have to give up the tolls with which the maintenance of the roads to Glasgow were at present paid. Glasgow would gain nothing by it, and it only consented to take over the roads for the purpose of getting rid of the tolls. So much for the Bill itself; but he now had to deal with the new clause which proposed to put a far more severe and additional burden on Glasgow. When this measure was discussed on the Motion for going into Committee, the noble Lord the Member for Haddingtonshire (Lord Elcho) said that this new burden was imposed on Glasgow because at present the city was encircled by toll-bars. [Lord Elcho: I did not say so. It was said by someone else.] In that case, his memory must be entirely astray. Certainly, some hon. Member said that the reason for imposing this new burden upon Glasgow was that Glasgow was encircled by toll-bars which raised some £30,000. [Lord Elcho: Oh, I did say that.] He was glad to find that the noble Lord was beginning to remember what he said. The noble Lord forgot, however, that it was not Glasgow that paid these tolls. Since the time when railways were introduced, people going to and from the city travelled by rail, the tolls were principally paid by county traffic going into Glasgow. However, the people of Glasgow, no doubt, paid some part of the tolls — perhaps one-third, or £10,000 a-year; but they did not pay anything like the whole of them. And now they took over 10 miles of road that would cost them £10,000 a-year to keep up. This, then, was a fair compensation for getting rid of the tolls. As for this new clause, it would deal with the counties of Lanark and Renfrew in a totally exceptional way. They were quite content with the Bill as it stood; but this practice of introducing exceptions led to discussion. It was now actually proposed to saddle Glasgow with an extra burden of £12,500 a-year in perpetuity, to keep up the county roads with which Glasgow had nothing to do—except, perhaps, that some of her citizens occasionally went out into the country. It was true that Glasgow was formerly encircled by toll-bars. It had been the practice of many counties to hem in burghs by means of toll-bars, so that no citizen could get out without paying tolls. That system had prevailed in the counties adjacent to Glasgow, and he did not complain of it; but the present proposal to saddle Glasgow with the payment of £12,500 in perpetuity towards the upkeep of the county roads he considered to be a gross injustice.

Sir WINDHAM ANSTRUTHER pointed out that the sum to be paid by Glasgow was only £10,000, and not £12,500, as the hon. Member had stated.

Mr. ANDERSON said, the total amount was £12,500, which was divided between Glasgow and the little satellite burghs that surrounded her. About £2,500 a-year would have to be paid by them, and £10,000 by Glasgow proper. Over and above that, it was proposed to saddle Glasgow with the payment of the debt on the county roads with which the city of Glasgow had nothing whatever to do. If one proposal could be more unjust than the other out of two extremely unjust proposals, this was, perhaps, the more unjust of the two. The counties of Lanark and Renfrew had not paid their debts on the road trusts, but had gone on accumulating them, and had never paid the first cost; Glasgow, on the other hand, having made streets at an enormous expense, had paid for them, and had given the counties the free use of those streets all along. A great deal of the traffic in the streets of Glasgow was county traffic purely. Coal, iron, stone, and farm produce passed through Glasgow to go to the railways or the Broomielaw district and elsewhere, and it did not contribute anything at all to Glasgow for the use of the streets; and to ask the city of Glasgow to pay £10,000 a-year to the county roads and to pay the county debt, because the county chose to accumulate it, he held to be a proposal altogether unjustifiable. There was, indeed, a small debt of about £140,000 on the Glasgow streets; but that was a mere trifle compared with what the streets had cost. If the proposal had been to throw the two debts together, and to enact that the city and the counties should pay equally, there might have been some approach to justice in it. His hon. Colleague (Dr. Cameron) had placed on the Paper an Amendment to that effect. They would accept that, if they could not get the proposed arrangement done away with altogether. If the Government would not regard the rights of the people of Glasgow, they could, of course, beat them easily on a division; but he hoped the Government would reason the matter out fairly, and would endeavour to show some good reason why the inhabitants of Glasgow should pay any share of the county debt. They did not object to pay it jointly, if the counties also paid the town debt jointly, and there was on the Paper a Motion by the hon. Member for Forfarshire (Mr. J. W. Barclay) which they would be willing to accept; but they wished to endeavour, in the first place, to stop this injustice altogether, and to be dealt with in the same way as the rest of Scotland. He believed that the only reason for this unjust taxation was, that there would be an exceptional amount of taxation on the roads near Glasgow for the upkeep of the roads on which there was a great traffic near the city. But it must be remembered that the very proximity to Glasgow had raised the value of those lands; and therefore it was perfectly fair that the counties ought to pay for, as well as reap, the advantage of being so near Glasgow. It would be quite as reasonable for Glasgow to say to the counties of Lanark and Renfrew—"We provide you with miles of fine streets, and you send through them your coal, your iron, and your farm produce. Up to the present time we have not charged you anything for the use of our streets; but in future we will charge you £10,000 a-year for their upkeep." This would be just as fair as the present proposal of the Government that Glasgow should pay £10,000 a-year for the upkeep of the county roads. He should certainly take the sense of the Committee on the clause. The fact was, that the tolls outside Glasgow were not paid by Glasgow, therefore the counties ought to pay for the roads, and not Glasgow.

SIR EDWARD COLEBROOKE said, he would not go into all the questions which had just been raised by his hon. Friend (Mr. Anderson), because; if he did so, he should have to occupy the time of the Committee with a very long argument. The greater part of the allegations adduced by his hon. Friend had been over and over again made and controverted in the House of Commons. The roads referred to benefited not only the country districts, but also the towns; and therefore it was right that the latter should contribute to their maintenance. It would be in the power of any local authority or burgh, if they felt themselves aggrieved by the provisions of the Bill, to go to the Home Secretary and get a Provisional Order for redress. The Government had, however, thought it right to deal with the difficulties presented by the case of Glasgow by introducing a new clause. If the Commissioner who was sent down to inquire into the circumstances had determined in favour of Glasgow, his hon. Friend, instead of impugning the decision, would have asked the Committee to confirm it. Under all the circumstances, he should support the proposal of the Government. Throughout his argument his hon. Friend had represented this as the case of Glasgow only. His hon. Friend forgot, apparently, the important suburban burghs, some of which contained between 40,000 and 60,000 inhabitants. It was an extraordinary fact, which he begged the Committee to bear in mind, that all those burghs had acquiesced in the decision of the Commissioner. It was only Glasgow that stood out. The counties of Lanark and Renfrew were perfectly content with the arrangement. On the whole, he thought the proposal of the Government to lump together all the burghs connected with turnpike trusts was an equitable one; and he should, therefore, be prepared to give it his support.

Lord ELCHO wished to make an explanation, in consequence of what had fallen from the hon. Member for Glasgow (Mr. Anderson). He had thought at first that the hon. Gentleman was referring to the last discussion in Committee. It now appeared, however, that the hon. Gentleman was alluding to some observations which fell from him (Lord Elcho) on the second reading or on the Motion to go into Committee. What he said on one of those occasions was that Glasgow was surrounded by toll-bars; that about £44,000 a-year was levied for those tolls; and that if Glasgow were relieved from this circle of toll-bars, it ought to pay a certain sum towards the payment of the debt. That was the remark he made and he still adhered to it, notwithstanding the speech of the hon. Gentleman.

Mr. M'LAREN said, he considered the clause which was now under discussion to be the great blot on the Bill. The clause ought, in his opinion, to be resisted to the very uttermost by the inhabitants of Glasgow. It was one of pains and penalties such as hon. Members could not point to in any other measure, unless they went back to the days of the Stuarts. Here was a large sum fixed upon; but nobody knew how, or upon what principle. All that was known was that it was the result of the inquiries of a Commissioner appointed by the Home Office, who had conducted these inquiries in secret. He (Mr. M'Laren) had been one of the Royal Commissioners appointed nearly 20 years ago to investigate these subjects, and in that way he had acquired some knowledge of the matter now under consideration. That Commission, he found, on looking back to its printed Reports, sat for eight days in Glasgow. It examined 33 witnesses connected with Lanark and Glasgow. It summoned all the leading officials of the county and the city, and it took the evidence of men of all classes upon the subject, who offered themselves as witnesses. The result was a Report which showed that the Commissioners then appointed had arrived at an entirely different conclusion from that to which the secret Commissioner appointed by the Home Office had come. It was very important to contrast the recommendations of the two Commissions and the reasons upon which they were founded. The result of the inquiries of the Home Office secret Commissioner, who took his evidence in private, was that the city of Glasgow should pay £12,500 for ever to maintain the roads in the county of Lanark. The Report of the Royal Commissioners, who examined 33 witnesses, and who had sat for eight days in open Court, stated that Glasgow should not pay one shilling for maintaining the roads of Lanarkshire. The secret Commissioner had also said that the debt of Lanarkshire should be paid in proportion to the valued rental of the city as compared with the county; and the effect of that would be that about one-half of the whole debt of the county would be paid by Glasgow alone, whilst the Royal Commissioners said that Glasgow should pay only a proportion of the debt on those trusts which entered into the city, and according to the mileage within and without the city boundaries. These were remarkable discrepancies, and he left the Committee to judge whether one man or five men were most to be trusted in the matter. He did not mean to say one word in disparagement personally of the secret Commissioner appointed by the Government. Although little was known of that gentleman's proceedings, he would assume that he was as well qualified as anyone in London could be for the task to which he had been appointed; but no man, however great his talents, being a stranger to the subject, could compete successfully with others who possessed valuable local knowledge on a question of this kind. Who were the Commissioners of 20 years ago? He was one of the number; but he put himself out of the case, except as a witness, who knew something of what had been done. Well, then, the Chairman was Mr. Smythe, of Methven Castle, Chairman of the Commissioners of Supply, Perthshire—a county in which he believed there was the largest number of trusts of any county in Scotland—a man of great experience, formerly connected with the Poor Law Board, and a man enjoying the confidence of the great county in which he held this important position. Had no other man than Mr. Smythe been upon the Commission his

Report alone, from his local knowledge and experience in the management of roads, would have greatly outweighed the Report of any secret Commissioner. But Mr. Smythe was not alone. One of his Colleagues had been Sir John M'Neill—a man so distinguished as to have been selected to go to the Crimea, to investigate into the difficulties and abuses which had existed there, who made a Report, which was received with great satisfaction, and for which he received high honours from the Crown—having refused to accept of any pecuniary compensation. A third Commissioner was Sir James Fergusson—a gentleman who was long a Member of the House of Commons, who had occupied the position of an Under Secretary of State, and who had afterwards been appointed by Her Majesty's Government Governor of two of their greatest Colonial Dependencies. Sir James was a man of known experience and ability, and he had no doubt that if he were again fortunate enough to secure a seat in the House, his services would be taken advantage of in some important Office by Her Majesty's Government. A fourth Commissioner was Sir Andrew Orr, who had been chief magistrate of Glasgow, and who was a landowner in the county of Stirling; and all the four were large landowners. These gentlemen concurred in the Report to which he had referred, and the clause at present in debate, emanating from the secret Commissioner, was, therefore, backed with a very small amount of weight as compared with that which was against it. As he had said, 33 witnesses had been examined by the Commissioners, and all those witnesses, with one exception, were in favour of Glasgow maintaining its own streets and its own streets only, while paying only the proportion of the debt which he had already stated. The one exception was Mr. Graham; but even that gentleman was not in favour of the "pains and penalties'" plans, but approved of a settlement similar to what the hon. Member for the Falkirk Burghs (Mr. Ramsay) shadowed forth, but with a zone of five miles beyond the city. Again, one of the witnesses who were at that time examined was the clerk to the Lanarkshire Commissioners of Supply, and that gentleman gave strong evidence in favour of the views which the Commissioners had expressed. He laid before the Commissioners two Reports which had been made by large Committees of the county gentlemen appointed in two successive years to consider this subject. What occasioned the appointment of those Committees was that a Bill had been brought into the House in 1858 for the abolition of tolls, and Lanarkshire took up that measure, and appointed a Committee to examine and report upon it. Another Committee was appointed in the following year, and both those bodies reported in favour of the plan which had been afterwards adopted in substance by the Royal Commission. On the back of the Bill which was introduced in 1858, he found the names of Lord Elcho, Mr. Moncreiff, and Sir Edward Colebrooke. He had not had the pleasure of hearing the speech of the hon. Baronet that evening; but he hoped that he had advocated before the Committee the views which were embodied in Clause 20 of the Bill—namely, that Glasgow should pay for the support of its own streets only. He found a statement in one of the County Reports, copied into the Blue Book issued by the Commissioners, to the effect that the whole roads and bridges within burghs should be placed under the charge and management of magistrates and town councils, and that the roads in counties should be placed under the administration of County Boards; and that statement was signed by Lord Belhaven officially, as convener of the county of Lanark. And Lord Belhaven had himself given very strong evidence to that effect when examined as a witness. He had also stated that the abolition of the toll system would effect a saving of from 25 to 30 per cent in the county. Another gentleman, Mr. Scott—factor to Lord Douglas—had followed in a similar strain. [An hon. MEMBER: Agreed, agreed!] He heard an hon. Member cry "Agreed;" but he would tell that hon. Gentleman that he intended to go on until he had finished. There was always one alternative for hon. Gentlemen who did not care for certain speeches—they could retire from the House; or, if they did not do that, it was open to those whom they interrupted to move the adjournment of the House until they came to a more docile temper. He had been referring to gentlemen who had been examined before the Commissioners, and, amongst others, to Lord

Belhaven, who had been convener of Lanarkshire, and who represented the Crown at the General Assembly of the Church of Scotland—an appointment which showed the opinion entertained of him by the Government of the day. It was important that the Committee should consider the views on this subject of such men as he had mentioned, especially when those views had, as it now appeared, to be weighed against the slender opinion of one who was a stranger to Glasgow and to Scotland, and the reasons for whose report could only be guessed at. He would also remind the Committee that the Commission of 20 years ago was no Radical Commission, nor appointed by a Radical Government. It was appointed by a Conservative Government, and its proceedings were conducted in such a manner that no man could have told what the politics were of those who composed it. Although, as a matter of fact, these Commissioners comprised three Conservatives and one Liberal, politics never showed themselves in any shape or way. There could not, therefore, have been any prejudice against the counties and in favour of the burghs in a Commission so constituted. The thing was utterly impossible. Had there been any bias at all, the bias would have been shown in favour of counties and against burghs, but no such bias existed. In addition to the gentlemen whom he had already named, Lord Provost Galbraith, chief magistrate of Glasgow for the time being, had said in effect—and he recollected his statements well—that the traffic on the streets of Glasgow for county purposes—of goods passing through the city to the county, or from the county through Glasgow to other counties and for shipment—was such that the wear-and-tear of Glasgow roads by county people was very much greater than the wear-and-tear of the county roads by Glasgow people—in other words, suppose that the county traffic through the streets of the city might represent £5,000, the traffic of the city through the county would not represent nearly so large a sum. It had been stated by the hon. Member for Dumbartonshire (Mr. Orr-Ewing), that the tolls around Glasgow yielded about £42,000 a-year. But the Return recently obtained by the hon. and gallant Member for Renfrewshire (Colonel Mure), showed that the total expense of maintaining all the turnpike roads in the county of Lanark was only £23,616, together with £2,485 for management, including in these sums the maintenance of roads within certain new burghs and populous places. It had been computed, on good authority, that this total amount of £26,101 would be reduced to £21,000 when these burghs maintained their own roads, as they were bound to do by the Bill. The total rental of the county being now £2,060,927, a rate of 2½*d.* in the pound would more than suffice, even if no saving of the expenses of management, or otherwise, took place, to maintain all the turnpike roads within the county. He did not refer to the statute labour road question, because Glasgow was not interested for or against the new arrangement; but the effect of it, manifestly, would be to relieve the agricultural interest of a large part of the present statute labour taxation which fell upon them, by throwing it on other interests within the county. These being the facts, and being perfectly cognisant of them after hearing the evidence and taking part in the examination of witnesses, he had felt it his duty on the present occasion to protest with all force and energy which he could command against a gross injustice which, as he conceived, would be perpetrated if this clause were to be passed into law. He hoped that such a clause would never be allowed to pass, and he thought that those who were opposed to it would be justified in using every means in their power to prevent its adoption.

Mr. RAMSAY said, he was not surprised that the hon. Member for Edinburgh (Mr. M'Laren) should have addressed the Committee at some length on that important question. There could be no doubt that the clause proposed by the right hon. and learned Lord Advocate violated the principle of the Bill, which was, that the money levied in each county should be expended within the county itself, and should not be drawn from extraneous sources. The Committee had, however, by a majority, violated the principle of the Bill in the postponed clause which had just been passed, by imposing additional assessments for extraordinary traffic, and now it was proposed to aggravate the injustice of that clause by imposing upon Glasgow a sum admitted to be so large as £10,000, not for the purpose of being expended on roads within the city, or for the behoof of the citizens; but for the purpose of being expended on roads which were within the county, and which were administered by the county trustees as they thought fit. He considered that no greater violation of the principle of the Bill could possibly be conceived, and hoped the Committee would agree to reject the clause; but, if not, he should hereafter propose an Amendment, the nature of which he would not occupy further time by discussing.

DR. CAMERON said, he thought the citizens of Glasgow could not be too fully indebted to the hon. Member for Edinburgh for the exceptionally calm and lucid speech which he had delivered on that occasion. He did not think that the Committee could be entirely aware of the injustice proposed to be done to the city of Glasgow if the clause of the right hon. and learned Lord Advocate were adopted. It was proposed to cause the city of Glasgow to pay to the counties of Lanark and Renfrew a sum of over £400,000, in direct opposition to the recommendations of the Royal Commission. That, in short, was the meaning of the Government proposal, and it was one against which he must also emphatically protest. The people of Glasgow did not object to bear their fair share of the cost of the up-keep of the roads; but the Government wanted them to pay besides the sum of £12,500 a-year, *in perpetuo*, to the counties of Lanark and Renfrew. It was proposed, further, that Glasgow should pay nearly half the entire road debts of Lanarkshire and Renfrewshire, while they were obliged to pay their own road debt into the bargain. His hon. Friend the Member for North Lanarkshire (Sir Edward Colebrooke) had said the road debt of Glasgow was a statute labour debt, and that statute labour debts were not taken into consideration by the Bill. Of course, the debts of Glasgow were statute labour, for the streets of Glasgow were all supported by assessment; but it arose in this way—as they took over the turnpike roads they were converted into statute labour roads, and therefore the debts of Glasgow were as much turnpike debts as were those of the county. An exhaustive inquiry had been held, and the Government last year sent down a Commissioner; but he held his Court in secret, and when the production of the Report was asked for, it was denied, and he had never seen it. They were now asked to take the *dictum* of this one Commissioner against that of the very important Commission which was held a considerable number of years ago. The hon. Member for North Lanarkshire had further said that the burghs around Glasgow did not object to this proposal. Their case, however, was not so hard as that of Glasgow, because they had no debts of their own to pay; while Glasgow was asked not only to pay its own debt, but that of the county also. They were willing to make some sacrifices to get rid of tolls; but he did not think they ought to be called upon to go to the extent of the proposal in this Bill, seeing that the traffic brought into Glasgow from the counties outside wore out the streets as much as the traffic of the city itself. To tax them to the extent of a capitalized sum of £400,000 was what they protested against; and he hoped the Government would re-consider the matter, and not treat Glasgow in this exceptional manner. If the Bill was not altered, a most flagrant and palpable injustice would be committed.

SIR WINDHAM ANSTRUTHER said, the hon. Member for Edinburgh (Mr. M'Laren) was perpetually quoting the Report of the Commission of 1859. Now, if the hon. Member had consented to the carrying out of the recommendation of those Commissioners, this Roads and Bridges question would have been settled long ago. In 1861, a Bill was brought in by the then Lord Advocate which was a Permissive Bill, and again, in 1865, a Permissive Bill was introduced; but that measure was opposed by hon. Members on the ground that it was permissive, and it did not pass. In regard to what had fallen from the hon. Member who had just spoken (Dr. Cameron), he begged to remind the Committee that the great proportion of the roads out of Glasgow were made not for the benefit of the county of Lanark, but for the benefit of the city of Glasgow—as, for instance, the Glasgow and Carlisle road, the debt for which was contracted in order to improve the connection between Glasgow and the South. When hon. Members talked about roads, they must not merely think of the land through which they passed, but must take into consideration where the road began, where it went to, and the large towns it connected. Judged by that standard, they would find that the great proportion of these Lanarkshire roads were made for the benefit of Glasgow. From what had been said by the hon. Member, it would appear as if he thought Glasgow had had no opportunity to state her case before the Commissioner. Now, the Lord Provost of Glasgow, the Lord Dean of Guild, the City Treasurer, the Chairman and Vice Chairman of the Parliamentary Bills Committee, the Chairman of the Glasgow Statute Labour Commission, an ex-senior magistrate of Glasgow, the town clerk, and clerk to the magistrates and administration of the Police Act, the city architect, and two baillies, were all heard before the Commissioner appointed by the Home Secretary. The case of Glasgow was most ably argued before him, and the result of the evidence which he heard was that he decided against the city. One reason why Glasgow should contribute this sum was because the roads in the agricultural districts of the country were maintained at something like £32 per mile, while the roads in the immediate vicinity of Glasgow cost £260 per mile and more. Why should Lanarkshire be subject to this increased taxation for the benefit of Glasgow, unless Glasgow was prepared to bear her share of the burden?

Mr. J. W. BARCLAY thought the Government ought to state the reasons which had induced them to propose this exceptional legislation with regard to Glasgow, because it could not be denied that it was an exceptional proposal in favour of Lanarkshire at the expense of the city of Glasgow. It had not been attempted to be proved that the burden of maintaining roads in the counties of Lanarkshire and Renfrewshire would be greater than it was in other counties. No doubt, if this Bill passed, the burden of maintaining the roads in those two counties would amount to £49,000; but that amount would be made up by an assessment over the valuation of the two counties of not more than 5*d.* in the pound. Now, in the county which he represented they paid as high as 9*d.*, and, in some cases, 1*s.* in the pound for the maintenance of the statute labour roads apart from the turnpike roads. In Aberdeenshire the assessment was 6*d.* in the pound. This was an argument, he considered, in favour of there being no exceptional legislation with regard to Glasgow. He was surprised to hear the attempt which had been made to prove that Glasgow had profited most by these roads. It should be remembered that the principal outlet of Glasgow was by way of the Clyde, and it was the counties of Lanarkshire and Renfrewshire which had benefited by the existence of Glasgow in their neighbourhood, thus giving them an outlet for their minerals and coals. The enormous rental which was derived in those counties from coals and minerals was wholly due to the roads connecting them with Glasgow. In the course of the discussion on this measure, it had been said that this was a landlord's Bill; and that, to his mind, was conclusively proved, when they found a clause introduced to the prejudice of the city of Glasgow, and wholly in the interests of the counties of Lanarkshire and Renfrewshire. He again called upon the Government to give the Committee some reasons for the course they had adopted in proposing this exceptional legislation.

Mr. M'LAREN said, it had been stated that the tolls immediately around Glasgow amounted to £42,000. That was the statement; now for the fact. At the time when the Commissioners made their Report, the whole expenditure for all the roads in the county of Lanarkshire was £29,162. That was exclusive of the roads within burghs, which were maintained by the county, and those amounted to £9,500. Now, according to a Return which had been since made of the tolls taken in the counties of Lanarkshire and Renfrewshire, it appeared that the total expenditure for the county roads of Lanarkshire had been reduced to £23,000. Many hon. Members might be surprised that the amount had not increased, instead of diminished to the extent of £6,000; but that was due to the fact of the multiplication of branch railways, and those had taken away a good deal of the traffic which formerly went along the public roads. The expenses paid by the counties for roads within the burghs was now £6,100. At the time of the Commission the rental of the county was £1,014,000; it was now £2,066,000. Whatever sum, therefore, was required to maintain the roads of Lanarkshire, only half of what was then needed ought to be taken now. Even if the whole £29,000 were required, a rate of 3½*d.* in the pound would be sufficient.

COLONEL MURE, lest the Committee should be carried away by the statistics of the hon. Member for Edinburgh (Mr. M'Laren), would like to tell them what was the fate of the Commission to which allusion had been made. The Commissioners went down to Glasgow, and inquired into the whole circumstances connected with Glasgow and Lanarkshire and Renfrewshire, and after they had reported to Parliament, a Bill was introduced by the Lord Advocate of that day. That measure recommended that tolls should be abolished, and that there should be no exemptions; but a Committee of that House made it permissive on Lanarkshire and Renfrewshire, because it appeared unfair to them that those two counties and Glasgow should be placed upon the same footing. Lord Elcho subsequently introduced a Bill, and the county of Renfrew was entirely exempted from its operation. This question had therefore been considered by Commissions, Select Committees, and by that House, and it had always been held that Lanarkshire and Renfrewshire stood in a different position to Glasgow. As to the impartiality of Mr. Smith, the last Commissioner, he might mention that when he heard that he had been appointed to inquire into the question, he wrote and asked to see him; but Mr. Smith replied that as he (Colonel Mure) was interested in one of the counties, he did not think it would be right to see him, unless he desired to be examined as a witness.

THE LORD ADVOCATE said, it was quite impossible to say that any of the arguments which had been used in the course of the debate had the merit of novelty. During the last 10 years this question had been before the House on several occasions, and it had always been admitted that the case of Glasgow in relation to the two great counties of Lanarkshire and Renfrewshire was exceptional. Two objections had been taken to the proposal made in this clause. It had been maintained that it did not embody a fair settlement between the parties; and secondly, that it was against the principle laid down in the recommendations of the Commissioners in their Report of 1860. Now, he was happy to say that the iron rule for the treatment of all burghs in reference to a county, laid down in the Report of the Commission, had been deliberately departed from in this Bill already; for the Committee, foreseeing that such cases would arise, had provided by the 9th clause of the Bill for their future determination by means of a Provisional Order to be obtained from the Secretary of State, subject to the conditions contained in such Order as to debts for highways in the neighbourhood of any burgh; the effect being to confer on the Secretary of State the power of a Provisional Order to make the county pay part of a burgh debt, or a burgh pay part of the county debt, and to make one contribute to the other, as the case might be. Various other clauses had been inserted, for the purpose of enabling burghs, at present having the maintenance of their own roads, to make common cause with the county, where the assessment was burdensome to the burgh, upon such fair and equitable terms as should be settled by the Sheriff of the jurisdiction. On the questions of disputed fact, the conclusion of the Government was, on the whole, that the people of Glasgow had been using to a large extent the roads for a considerable distance outside the city, and not only that they had been users of the roads, but that they were the persons who had paid for the roads. The Government, therefore, without much hesitation, had come to the conclusion that the substitution of this payment for the tolls they had been in the habit of paying would be a pecuniary advantage to the city.

MR. ANDERSON took entire exception to the last statement of the right hon. and learned Lord, that the inhabitants of Glasgow would gain any pecuniary advantage by this arrangement. The statement begged the whole question, and he (Mr. Anderson) claimed to know on what facts the right hon. and learned Lord had based his conclusions. A Royal Commission, consisting of probably the best men that could be selected for the purpose, had made an inquiry on this subject. They heard evidence in open court, so that the value of the conclusions at which they arrived was capable of being estimated, and their Report was totally opposed to the arrangement which would now be made by the clause. That was what they complained of, and also that the Government, in the face of that Report of a Royal Commission, had preferred the secret report of a Treasury clerk. ["No!"] An hon. Member said "No." Well, he might not have been a Treasury clerk, but he was some person sent by the Government to make a secret inquiry. He wanted to know the grounds upon which that person came to his decision? but these the Government declined to give. He certainly took evidence, but in what way he hardly knew. The evidence was not taken in open Court. The Report ought to be laid on the Table, so that the grounds of the Government decision might be known. The Ministers, however, seemed to have intrusted a copy of the Report to the hon. Member for North Lanarkshire. They were bound in his (Mr. Anderson's) opinion, therefore, to lay it on the Table before inflicting upon Glasgow this most unjust legislation. The right hon. and learned Lord adduced no argument worth a straw to prove that those roads were made for the benefit of Glasgow. The county Members who supported the clause likewise gave no arguments of any weight; the only one he had noticed was that of the hon. Baronet the Member for South Lanarkshire, who said that three carriages left Glasgow for every one that came in. He (Mr. Anderson) should like to know what would become of all the Glasgow carriages in course of time, if that were the case? The roads were made for the benefit of both city and county, so were the streets of Glasgow, and the county people used those streets freely, sending their goods over them to the Glasgow harbours and railways. For this use they paid nothing; and it was unfair to make Glasgow pay £500,000 for the benefit of the counties over and above all that the city had to do for themselves.

Mr. ASSHETON CROSS said, he was certain that it was not the fact that no one had seen this Report; but he did not like to interrupt the hon. Member, without refreshing his memory by referring to the Gentleman who usually advised him in these matters. He found that the Report was read over to the two deputations who waited upon him in the earlier part of the Session at the Home Office on the same day in separate rooms, and it was explained to them at those meetings, and it was given to them on the same day. By his orders, a great number of copies were sent to the town of Glasgow as well as to the counties interested. He also gave orders that copies should be sent to everybody who desired them.

Mr. ANDERSON: Was it a complete Report, with the evidence?

Mr. ASSHETON CROSS: It was a complete Report.

Mr. ANDERSON: No.

Mr. RAMSAY remarked, that the right hon. and learned Lord Advocate seemed to ignore the fact that the traffic from the county going into Glasgow would benefit from the abolition of the tolls equally with the city. He could understand the statement that both town and county would benefit from the abolition of the tolls; but he could not understand how it was reasonable and fair to say that Glasgow was to derive a pecuniary advantage from the abolition of tolls so great as to justify a fine of this nature in perpetuity.

Dr. CAMERON said, he had never seen the Report referred to by the Home Secretary, and he understood that it had been refused to some people. The right hon. and learned Lord Advocate had argued that the Report of the Royal Commission having been departed from in the Bill, the argument of the hon. Members for Glasgow fell to the ground. The complaint was, however, not that the Report of the Royal Commission had been departed from, but that the whole principle of the Bill was departed from in the case of Glasgow alone. The other burghs and other counties were asked by the Bill to submit to arbitration. Glasgow was not asked to submit to arbitration, the result of which might be either favourable or unfavourable—it was favourable in the case of the Royal Commission and unfavourable in the case of the Mr. Smith—but had to submit expressly to an adverse decision, which could not be exceeded in injustice.

Mr. O'DONNELL took a special interest in the question, owing to his close connection with a section of the population of Glasgow who owed much to the opportunities that city afforded them, and to whose hard labour Glasgow, he trusted, knew it owed something. Glasgow had been of immense benefit to the

Irish immigrants to Scotland. It had been of much more benefit to the immigrants from those country districts which were now being so unfairly favoured at the expense of Glasgow. From Lanarkshire and Renfrewshire crowds of persons came in from year to year and found occupation in Glasgow who might be otherwise a worthless burden on the country districts. From Glasgow every year wealth descended upon a hundred districts of Lanarkshire and Renfrewshire. He did not wish to delay the Committee with any special reflections on the extraordinary manner in which the judgment of a Royal Commission had been set aside on behalf of that of the secret Emissary of the Home Office, and giving that Emissary the benefit of every doubt, he assumed that he received no special instructions; but it was traditional on the part of the Conservative Party to favour county interests. It was surprising that Glasgow should be singled out for this treatment by a Government which, when it was looking for Office, seemed to have such a warm admiration for the great principle of sanitation. Glasgow had been making a noble use of its resources. It had put its Civic funds to the best uses. Its sanitary work had been immense; and yet it was this town, which was an example to so many others in this respect, that was singled out by a sanitation Government in order to impose upon it extra burdens approaching £500,000 sterling, in order most unjustly to favour county interests. The clause was most unjust, and he would not be earning any portion of the favour of a very large section of the inhabitants of Glasgow, if he did not join his voice with those of other Scotch Members in protesting against it.

MR. BIGGAR said, he knew well that the Government was much disposed to favour counties at the expense of the burghs; but why they should have selected Glasgow for treatment of this kind he could not imagine. It was one of the best managed towns in the three Kingdoms, and confidence might have been reposed in its discretion. He suggested to the hon. Members for Glasgow that, unless some very material reason for the exceptional treatment of Glasgow was given, and until the full text of the secret Report alluded to had been given, they should set their faces in the most determined manner against the further progress of this Bill, which really did not reflect very much credit on its promoters.

Question put.

The Committee *divided*:—Ayes 116; Noes 85; Majority 31.—(Div. List, No. 179.)

MR. RAMSAY, in moving an Amendment to the clause just passed, said, that the clause provided that a sum of money should be paid by the city of Glasgow and other burghs for the purpose of maintaining the roads in the counties of Lanark and Renfrew. No good reason had yet been shown for this being done. At the present time, the roads in the county of Lanark cost £114,555; while the valuation of the county amounted to the sum of £1,718,393, irrespective of the burghs within the county. An assessment on that valuation of 6*d.* in the pound would meet the whole of that expenditure. If, in the county of Lanark, roads could be maintained for less than 8*d.* in the pound, half of which was paid by owners and half by the occupiers, he thought that that fact was sufficient to show that there was no good reason why any exceptional legislation should be provided for the relief of ratepayers in those counties. Taking the two counties of Lanark and Renfrew together, 6*d.* in the pound was sufficient to maintain the roads within them, and he could not conceive on what ground it was justifiable to take a large sum of money from the citizens of those burghs and expend it in maintaining the roads for the relief of the ratepayers of the counties. The roads were, moreover, such that the ratepayers in the burghs had no control over them. In such circumstances it would require some special reasons, or some strong arguments, to justify any such course of procedure as that proposed. But no such arguments had been adduced in the present case, and no such reasons had been shown. It had, however, been stated by the right hon. and learned Lord Advocate that the citizens would receive great relief from being relieved from toll. But the right hon. and learned Lord had forgotten to recognize the fact that the roads were principally used for the conveyance of agricultural produce from the counties to the burghs. Therefore, it was very desirable that a proposal such as he now made should be adopted, and that a district should be formed around these cities and burghs in order to give powers of self-management to the district in connection with the maintenance of the roads. The hon. Member for Edinburgh (Mr. M'Laren) had suggested that the Amendment he proposed had been copied from a Royal Commission. He could not claim it as having any such good authority, because the idea occurred to him many years ago as a means of settling the differences between the county and the municipal authorities in the burghs of Glasgow. He would not occupy the time of the Committee on dwelling upon the matter; but he would point out that what he proposed was in accordance with the principle of the Bill—namely, that expenditure on the roads within a district should be under the management of the ratepayers who paid the assessments. Unless the compromise he suggested were carried into effect, people would be coming annually to Parliament to seek redress. He hoped that the present opportunity of settling the question would be taken, and with that view he proposed his Amendment. The principle upon which it was based was that the ratepayers in the extended area outside these burghs should form a separate district which should bear an assessment equal to that levied within the city for the repairs of the streets and roads, and that any excess which might be required should be levied equally from the ratepayers of the extended district and from the city. As to the limits of the district, he was not particular whether it was one, one and a-half, or two miles; the principle for which he contended being that the roads in that area, whatever it might be, should be under the management of those who paid for their maintenance and not under any county authority whatever.

Amendment proposed,

To leave out from the word "the," in line 4 of the proposed new Clause, in order to insert the words "limits of the said counties (including the burghs situated or partly situated therein), on the first day of June, one thousand eight hundred and eighty, subject to the following provisions (that is to say):

(1.) Within three months after the passing of this Act the Secretary of State shall, by a writing under his hand, appoint a person who shall be called the Glasgow Roads Boundary Commissioner. The appointment of the Glasgow Roads Boundary Commissioner shall be published in the 'Edinburgh Gazette,' and may be recalled by the Secretary of State at any time by a writing under his hand, which shall be published in the same manner."—(*Mr. Ramsay,*)

—instead thereof.

Question proposed, "That the words 'counties of Lanark and Renfrew' stand part of the Clause."

Dr. CAMERON, in giving an unqualified support to the Amendment, said, it was considered by the local authorities of Glasgow to be an extremely good arrangement.

The LORD ADVOCATE said, he was not prepared to assent to the Amendment. It was framed on a different principle to the clause which had just been read a second time. The proposal was, that outside the boundaries of the city there should be a sort of neutral zone a mile in width, and that a local authority should be established there to hold the balance as it were between the county and the town. When they came to consider the terms of the proposal, he thought it would be found that they were rather artificial, and that they would not attain the object in view. Anything more unfair to the inhabitants of the neutral zone than what was proposed, he could not conceive. The Bill dealt only with highways and statute labour roads, and did not in any burgh in Scotland deal with what might properly be called streets. Streets were often formed by people for their own convenience; but it frequently became convenient for the authorities to maintain them, not for the purposes of highways, but with the object of getting access to the dwellings and places of business adjoining. That class of street assessment was of a totally different character from that of highways. The result of the proposed clause would be to assess the inhabitants of such a street for highways and roads; and at the same time, as frequently happened, the inhabitants of houses not in any public road would have to make and maintain their own street. Moreover, a further difficulty would arise from the highways in some places being maintained by one authority and the streets by another.

Colonel MURE observed, that his county had carefully considered the proposal made by Glasgow, and entirely disapproved of it. He hoped the Lord Advocate would not agree to it.

Mr. RAMSAY could not see any force in the objection taken by the right hon. and learned Lord Advocate. The only ground upon which it was reasonable or requisite that such a provision as he (Mr. Ramsay) had proposed, should be inserted in the Bill, was that a complaint was made by the surrounding counties that the roads in the immediate neighbourhood of Glasgow were very costly. While roads in the rural parts of the counties could be maintained for £40, those in the neighbourhood of Glasgow cost £260. The property to be assessed in the vicinity of Glasgow was so great, that he hoped no part of the district to be formed under his proposal would have a greater assessment than existed in counties.

The LORD ADVOCATE said, that what he meant to have stated was, that it would be a singular mode of applying the assessment of property within the city to devote it to making and taking over new streets without the city.

Mr. RAMSAY replied, that there was no obligation to make an assessment for the purpose of forming new streets. The case of taking over a new street after it had been formed at the expense of the proprietor was different.

Mr. ANDERSON said, Glasgow was willing to accept the proposal of the hon. Member for Falkirk (Mr. Ramsay) as a compromise offered by a neutral party, and because the injustice under it would be less than under the clause as it stood.

Sir WINDHAM ANSTRUTHER stated, that several of the suburban burghs had repudiated this proposal, and had urged him to do all in his power to oppose it.

Sir EDWARD COLEBROOKE observed, that the difficulties between Glasgow and the neighbouring counties had been going on for several years. The city of Glasgow was invited by the Home Secretary to make some proposal on the matter, and the result was a proposition of a most unworkable description. Its adoption would lead to endless litigation, and would be unjust to the counties. In his opinion, the proposal of the Government was a fair one, and met the justice of the case.

Question put.

The Committee *divided:* — Ayes 143; Noes 67: Majority 76. — (Div. List, No. 180.)

Dr. CAMERON moved, as an Amendment to the Lord Advocate's new clause, in line 6, to leave out "eighty-two," and insert "eighty." He thought that if this change were to be made, it was desirable it should come into operation as soon as possible.

The LORD ADVOCATE said, the new tax would, undoubtedly, fall very heavily upon certain classes hitherto exempt, and if it was such a burden on Glasgow, he did not see why they should be so anxious to bring it into operation.

Amendment, by leave, *withdrawn.*

Dr. CAMERON said, his next Amendment was a much more important one. He proposed, in sub-section 1, line 3, after "provided," to insert "and the statute labour debt of the city of Glasgow." Its effect was, that instead of, as the clause proposed, Glasgow being left to pay the entire road debt itself, it should contribute half the road debt to the county, and the two should be thrown into one common account. He wanted an equal assessment for town and country.

Amendment proposed, in line 10 of the proposed new Clause, after the word "provided," to insert the words "and the statute labour debt of the city of Glasgow."—(*Dr. Cameron.*)

Question proposed, "That these words be there inserted."

The LORD ADVOCATE said, his clause was either a reasonable clause, or it was not. If it was the first, it did not require this Amendment; and if it was the latter, it wanted a much greater alteration. He could not accept the Amendment.

Mr. ANDERSON wanted to pay the joint debt jointly with the county Their debt covered all the streets and roads, and they were willing to take in the county statute labour debt as well.

Sir EDWARD COLEBROOKE thought the dispute had reference to the roads debt alone, and the words of the clause should be confined to that.

Dr. CAMERON pointed out, that the Bill wanted them to pay their own debt, and half the county debt as well. He found the county statute roads were included, and they were expected to pay the turnpike trust debt. That, in his opinion, was not fair.

Question put.

The Committee *divided:*—Ayes 68; Noes 129: Majority 61.—(Div. List, No. 181.)

Dr. CAMERON moved, as an Amendment, in sub-section 3, lines 3 and 4, to leave out "the sum of twelve thousand five hundred pounds annually," and insert "one hundred thousand pounds." The people of the city of Glasgow could not agree to the Government proposal that they should pay £12,500 a-year in perpetuity towards the maintenance of the roads. What he proposed—and he did so with the sanction of the local authorities of Glasgow—was, instead of making this an annual payment of £12,500, they should make it a special payment of £100,000. Of course, such a proceeding would be of considerable advantage to Glasgow; because, if they capitalized an annual payment of £12,500, it would amount to between £300,000 and £400,000. What the people of Glasgow wished to do, was to cut down such an enormous and unjust impost.

The LORD ADVOCATE said, the amount fixed represented 1*d.* in the pound upon the rateable value of Glasgow and the surrounding burghs. He could not accept the Amendment.

Mr. J. W. BARCLAY protested against so many divisions being taken on one clause, all having the same object in view. He was quite willing to support the hon. Member for Glasgow (Dr. Cameron), if he intended to obstruct the Bill; but he should like to know what course he was going to pursue? If the hon. Member wanted to prevent the Bill passing through Committee that night, the proper course for him to pursue was to move that the Chairman report Progress with leave to sit again; but, by moving these repeated divisions on the same question, he did not see what was to be gained. The Government were determined not to make a concession, and he thought hon. Members on that side of the House had vindicated their position sufficiently. At the same time, if they were prepared to oppose the proposal with regard to Glasgow, to the extent of holding the Bill over for a night or two more, to give the Government time for consideration, he would support them.

Mr. ANDERSON said, the present Amendment was different from the one decided upon last. Then, the Committee divided in reference to the debt; now, the protest was made against the proposal to make Glasgow pay £12,500 a-year in perpetuity for the maintenance of county roads with which the city had nothing to do. Already the city had taken over 10 miles of road, which would cost £10,000 a-year, and which at present the county kept up. Surely, that was a sufficient infliction, without the extra charge proposed to be made by this new clause? The Amendment of his hon. Colleague (Dr. Cameron) was an offer on the part of Glasgow simply to have done with an obnoxious thing, and to avoid the injustice which must be felt year by year if the annual charge were made. To prevent the recurrence of unpleasantness in reference to such a charge, Glasgow preferred to pay £100,000 down, and put an end to the whole thing.

Mr. BARING said, he could have seen some reasonableness in the desire of Glasgow to get rid of what was called an obnoxious charge, if the hon. Member (Dr. Cameron) had offered to pay £250,000 or £300,000 down. But he could not make out how it was that he proposed only a payment of £100,000 down rather than £12,500 a-year, unless the rate of interest in Scotland was much higher than any which he (Mr. Baring) had ever been able to get there.

Amendment *negatived.*

Dr. CAMERON moved, as an Amendment to sub-section 3, line 22, after the word "county," to insert these words—

> "Provided, That in the event of the assessment for the maintenance of roads and bridges within the counties of Lanark and Renfrew, or either of them, or of any road districts adjoining Glasgow into which the said counties may be divided, not exceeding the amount of the average assessment laid upon Glasgow and the burghs adjoining, the payment of the twelve thousand five hundred pounds before provided for shall cease."

The object of the Amendment was to provide that if the opinion arrived at by the Commissioner proved to be erroneous, and if it was proved that it cost Glasgow more to maintain its streets and roads than it did the county, then the city should no longer have to bear a tax which had been imposed by the Committee under an erroneous impression.

Amendment proposed,

After the word "county," in line 39 of the proposed new Clause, to insert the words "Provided, That in the event of the assessment for the maintenance of roads and bridges within the counties of Lanark and Renfrew, or either of them, or of any road districts adjoining Glasgow into which the said counties may be divided, not exceeding the amount of the average assessment laid upon Glasgow and the burghs adjoining, the payment of the twelve thousand five hundred pounds before provided for shall cease."—(*Dr. Cameron.*)

Question proposed, "That those words be there inserted."

MR. ASSHETON CROSS said, the Government could not accept the Amendment.

MR. ANDERSON observed, that the proviso would not affect the clause, unless the event happened which he and others believed would occur, and the information on which the Government had proceeded should be found to be wrong.

MR. RAMSAY said, the Home Secretary had all the power which was necessary to obtain information for the proper working of the proviso. A clause already agreed to provided that the right hon. Gentleman might require to be supplied by the county authorities and road trustees with every fact, and it became an easy matter to ascertain whether the assessment in the counties exceeded that of the city of Glasgow or not. Until that was ascertained, the proviso would be inoperative.

SIR GEORGE CAMPBELL thought it hardly fair to take the average assessment of the city of Glasgow and compare it, not with the average assessment of counties, but with the assessment of any one county, or one district of any county. If the average assessment of Glasgow were compared with the average assessment of counties, then the proposal would be a fair one.

DR. CAMERON said, he did not stand out for the actual words of the Amendment. One of the injustices of which he complained was that the sum to be paid by Glasgow was not to be devoted to the maintenance of roads in the district around the city, but all over the county. It was on that account that he proposed the proviso. If the Government would promise to take the matter into consideration, and make a more equitable provision on Report, he would withdraw the Amendment.

MR. ANDERSON believed the data on which the Government had acted, and which was afforded by the secret Commissioner, was totally wrong; therefore, his hon. Colleague wanted to insert the proviso to prevent the city paying an unfair tax if it turned out that the Commissioner was wrong.

Question put.

The Committee *divided*:—Ayes 67; Noes 122: Majority 55.—(Div. List, No. 182.)

SIR EDWARD COLEBROOKE moved, as an Amendment, to add the following sub-section to the clause:—

"(6.) From and after the date at which the annual contribution hereinbefore provided to be made by the city of Glasgow and adjoining burghs towards the cost of maintaining the highways and bridges within the counties of Lanark and Renfrew shall commence to be payable, the sum of one hundred and five pounds now payable yearly to the lord provost, magistrates, and council of Glasgow, as coming in place of the police and statute labour committee of the town council of that city, by the trustees of the Glasgow and Garscube turnpike roads, out of the tolls leviable on those roads, towards the expense of maintaining and repairing those portions of the said roads which lie within the municipal boundaries of the said city, under the provisions of section twenty-six of 'The Glasgow, Kirkintillock, and Baldernock Turnpike Road Trust Act, 1855,' shall cease to be payable, and the said trustees shall not be liable for payment of the principal sum, of which the said annual payment of one hundred and five pounds is the interest, but they shall continue the said annual payment until the date at which the said annual contribution by the city of Glasgow and adjoining burghs shall commence to be payable."

THE LORD ADVOCATE thought that having regard to the entirely new distribution of liability with respect to Glasgow, it would be only reasonable to assent to the sub-section proposed by the hon. Baronet.

MR. ANDERSON considered that Glasgow was being most unfairly treated; and, therefore, it would be better to report Progress.

THE LORD ADVOCATE considered that all payments of this character would cease under the Bill. If that were so, instead of the proceeding being an aggravation to Glasgow, it would place the city in a better position.

DR. CAMERON protested against the Lord Advocate rejecting all the Amendments that were calculated to mitigate the case of Glasgow and accepting one which would aggravate it. The Committee had now been sitting a long time, and he considered it would not be inopportune to postpone the sub-section until the Report.

SIR EDWARD COLEBROOKE agreed to the proposal.

Amendment, by leave, *withdrawn.*

THE MARQUESS OF LORNE, after Clause 5, moved to insert the following Clause :—

(Certain existing districts to be deemed counties.)

"In every case where, at the passing of this Act, any county in which tolls and statute labour have been abolished or are not exigible, and where such county has been divided under any local Act or Acts into two or more separate districts as respects the maintenance and management of roads, highways, and bridges, and the road trustees qualified within each of such several districts have the management of the roads, highways, and bridges therein, together with the power of imposing, levying, and collecting the assessments requisite for making, repairing, and managing the same, each of such several districts in all time after the passing of this Act shall form and shall be regarded as a separate county for the purposes of this Act, and all the provisions of this Act relating to counties shall apply to each of such several districts, and the whole powers and obligations conferred by this Act on county road trustees shall be vested in and may be exercised by the road trustees who may be appointed within each of such districts in terms of this Act: Provided that where necessary for giving effect to the provisions contained in this section 'convener of county' shall be held to mean and include district chairman and convener, and 'clerk of supply' shall be held to mean and include district road clerk appointed and acting under the local Act."

If the Committee would look at the clause, they would see that it only referred to those counties which were in the exceptional position of having been divided into districts under Local Acts. Each of these districts was self-governed to the extent that assessments raised within them were not devoted to general county purposes. It was only the geographical position of the districts which made them have these different interests; and as it might be for the convenience of counties so situated that one district or more should be able to adopt a special Act, he moved the insertion of the clause, deeming certain existing districts to be counties.

MR. MARK STEWART moved to substitute the word "two" for the word "three," in line 3 of the clause as standing on the Notice Paper.

THE CHAIRMAN pointed out that in the clause, as proposed by the noble Lord, that Amendment had already been made.

Clause *agreed to,* and *added* to the Bill.

MR. GRANT said, he had given Notice of certain new clauses with respect to roads within the burgh of Leith; but he would postpone those clauses until the stage of Report.

Clauses, by leave, *withdrawn.*

MR. C. S. PARKER moved, in page 18, after Clause 33, to insert the following Clause :—

(Rate may be levied within burghs in lieu of petty customs, &c. abolished.)

"It shall be lawful for the magistrates and council of any burgh in which the petty customs, or any sum or duty payable or leviable in lieu or satisfaction thereof, or in respect of any exemption therefrom, by this Act provided to be abolished are payable or leviable, to levy from and after such abolition from the occupiers of lands and heritages within such burgh, in lieu of such customs or sum or duty payable or leviable as aforesaid, a rate or rates by way of assessment calculated to yield in the whole in the year an amount equal to the net yearly amount of such petty customs and sum or duty payable or leviable as aforesaid, and no more, but not exceeding in the whole for any one year the amount of one penny in the pound sterling on the valuation of the assessable property within the boundaries of such burgh, and such rate may be levied either as a separate rate or as part of and in addition to and under the same conditions, and subject to the same restrictions and exemptions as any police or burgh rate levied or leviable within such burgh: Provided that the rate or rates to be levied in lieu of such petty customs, and of the sum or duty payable or leviable as aforesaid shall, ipso facto, come in place of any security held by any creditor or creditors of such burgh over such petty customs and such sum or duty:

"Provided also, That the said magistrates and council shall not be bound under this section to impose any rate other than a rate of one farthing, or an entire number of farthings, in the pound."

MR. CAMPBELL-BANNERMAN was sorry to in any way delay the passing of the clause; but he was instructed by his constituents to move that the limit should be increased in amount from 1*d.* in the pound to 3*d.* in the pound. He did not think the former sum would be sufficient for the purpose in view.

THE LORD ADVOCATE said, that representations on this subject had been made from several places, and he thought that the proposition of the hon. Member was quite reasonable.

Amendment *agreed to;* word *substituted.*

Clause, as amended, *agreed to*, and *added* to the Bill.

MR. J. W. BARCLAY moved, in page 26, after Clause 49, to insert the following Clause :—

(Borrowing powers of trustees.)

"When in any county or district the cost of remaking (of which the trustees shall be sole judges) and of maintaining roads within such county or district is greater than would be met by a rate of nine pence per pound on the lands and heritages liable to such rate, the trustees may, if they see fit, borrow from time to time part of such cost, provided that the sums so borrowed, together with the interest thereon, be repaid within twenty years, and that the whole assessment for maintaining the roads and the repayment of such sum or sums shall not in any year exceed one shilling and six pence per pound, or, until the money borrowed is repaid, or be less than one shilling per pound, on the lands and heritages liable to the assessment; and the trustees may grant bonds to secure repayment of such sums, of the same description and with the same rights over the assessment for maintenance as the bonds for extinction of debts have over the assessment imposed for that purpose."

The hon. Member said, he proposed by the clause to give to the trustees certain borrowing powers to be limited in this way. The sums borrowed were to be repaid within 20 years, the assessment caused by the exercise of the borrowing powers was not to exceed 1*s.* 6*d.* in the pound per annum; and whilst the borrowing powers were exercised, the trustees must raise by assessment not less than 1*s.* in the pound. There would thus be no temptation to the trustees to place a burden upon their successors, and the borrowing powers would only be exercised in exceptional and necessary cases. The safeguards he proposed would effectually protect the borrowing powers from being abused.

SIR GEORGE CAMPBELL should have had no objection to the clause, had the powers that it proposed to confer been limited to borrowing money for the construction of new roads. There was a difference between making roads and maintaining them, and he did not think that the powers should be extended to borrowing money for the maintenance of old roads.

MR. ORR-EWING thought that the assessment of 1*s.* in the pound required to be made before the borrowing powers could be exercised under the provisions of the clause was excessive, and that no harm could result from reducing it to some extent.

COLONEL MURE hoped that the Government would not give way upon this clause. There was a great difference between borrowing powers to be exercised only for the construction of new roads and those which were to be used merely for the maintenance of old ones. One of the great objects of the Bill was to enable counties to get rid of debts in an equitable manner; but the result of this proposal would be simply to get out of the frying-pan into the fire—to get out of debt in one quarter, but into it in another.

Clause *negatived.*

MR. MARK STEWART, who had given Notice of his intention to move, in page 28, after Clause 54, to insert the following clause :—

(Bye-laws as to licences to locomotives.)

"The county road trustees may from time to time make, alter, or repeal bye-laws for granting annual licences to locomotives used within this county, and the fee (not exceeding pounds) to be paid in respect of each licence; and the owner of any locomotive for which a licence is required under any bye-laws so made who uses or permits the same to be used in contravention of any such bye-laws shall be liable to a fine not exceeding forty shillings for every day on which the same is so used; the fees received under this section shall be carried to and applied for the use of the particular roads in the parish as part of the annual assessment."

said, that, as he understood the principle of the clause would be brought forward in a more extended form in other clauses, he would not press this one upon the Committee.

Clause, by leave, *withdrawn.*

MR. ORR-EWING moved, in page 43, after Clause 85, to insert the following clause :—

(As to certain bridges and ferries in Dumbartonshire.)

"Upon the expiration of six months after the commencement of this Act in the county of Dumbarton, the bridges and rights of ferry over the River Leven, at the ferries of Balloch and

Bonhill respectively, and the pontages or duties leviable thereat, shall vest in the county road trustees of that county, and those bridges shall be maintained and managed by them, and the right of the proprietors of the said bridges and ferries to levy such pontages or duties shall thereafter cease; and the said county road trustees shall, at the said date of vesting, pay to such proprietors respectively the values of the said bridges, rights of ferry, pontages, and duties, as at the date of the commencement of this Act in the said county, with interest at the rate of five per centum per annum from and after the said date of commencement until payment, under deduction of the net proceeds of such pontages or duties during the said period of six months, of which the said proprietors shall keep an account; and such values shall, failing agreement, be determined in the option of the said proprietors respectively by arbitration, or by jury trial, conducted in either case in manner provided by 'The Lands Clauses Consolidation (Scotland) Act, 1845,' and that Act, so far as the same regulates procedure with respect to arbitrations or jury trials, is incorporated with this Act for the purposes of this section, and in construing the clauses of that Act so incorporated, with reference to this Act, the expression 'the Special Act' means this Act; the expression 'the Promoters of the Undertaking' means the said county road trustees; the word 'lands' means the said bridges, rights of ferry, pontages, and duties; and the word 'compensation' means the values of such bridges, rights of ferry, pontages, and duties respectively as at the date of the commencement of this Act in the said county, but shall not include any allowances in respect of compulsory purchase or sale. The values so ascertained and determined shall be provided for by the said county road trustees as follows, that is to say:—One half thereof in the same manner as is by this Act provided with respect to road debts; and the other half by means of the pontages or duties levied at the said bridges as specified in the existing tables of charges, but subject to the modifications thereof allowed prior to the commencement of this Act in the said county, and those pontages and duties shall be levied by the said trustees until the moneys which they shall have borrowed in terms of the provision hereinafter contained so far as required for the purpose of paying such last-mentioned half to the said proprietors with interest thereon, together with one half of the expense of maintaining the said bridges, and the whole expense of collecting the said pontages and duties shall have been paid and discharged out of such pontages or duties, whereupon the said bridges shall become highways, and be free of toll. The said county road trustees may borrow the whole or any part of the money required for paying the said values and interest to the said proprietors on the security of the said pontages or duties, and of the assessments by this Act authorized, or any of them."

The hon. Member said, the bridges and ferries in Dumbartonshire did not come within the provisions of Clause 35, and it was, therefore, necessary to introduce the proposed clause into the Bill.

Clause *agreed to,* and *added* to the Bill.

Mr. Orr-Ewing

Sir WILLIAM CUNINGHAME moved, in page 43, after Clause 85, to insert the following clause:—

(Ayr Bridge Act, 1877, reserved.)

"Notwithstanding anything in this Act contained, 'The Ayr Bridge Act, 1877,' and the powers of taking tolls thereby conferred, shall continue in force until the first day of November, one thousand eight hundred and ninety-seven, or until such earlier time as the bridge by that Act authorized to be constructed shall, in manner therein directed, be declared free from toll, and no longer; and from and after the time at which this Act is adopted, or commences to have effect, in the county of Ayr, the persons who are then the Trustees for carrying 'The Ayr Bridge Act, 1877,' into execution, shall continue to act as such Trustees so long as the last-mentioned Act shall continue in force, and, after that Act shall cease to be in force, the said bridge shall, subject to the provisions of this Act, be vested in and maintained and managed by the local authority of the burgh of Ayr."

The hon. Baronet said the objects of the clause were of a peculiarly local character, which, if he were to enter into, it would take him some time to explain; and, therefore, he would content himself by merely moving that it be added to the Bill.

Clause *agreed to,* and *added* to the Bill.

Sir GEORGE CAMPBELL moved, in page 43, after Clause 85, to insert the following Clause:—

(Saving annuity by North British Railway Company to burgh of Burnstisland.)

"Nothing in this Act contained shall affect or prejudice the right of the magistrates and town council of the burgh of Burntisland to the annuity of two hundred pounds secured to them by the North British Railway Company under an agreement between the said magistrates and town council and Railway Company, dated the sixteenth and eighteenth days of September, one thousand eight hundred and seventy-two, and confirmed by 'The North British Railway Act, 1873.'"

The hon. Member said, the clause had been, happily, arranged by agreement, because it related to such a complicated matter that it would have been very difficult to explain its object fully and intelligibly to the Committee. He would, therefore, merely say that it would have been difficult to have settled the matter in any other way. He begged to move that the clause be added to the Bill.

Clause *agreed to,* and *added* to the Bill.

Sir WINDHAM ANSTRUTHER moved, in page 43, after Clause 85, and the Lord Advocate's New Clause, to insert—

(County of Lanark to be deemed and taken to be three counties in the sense of this Act.)

"For all the purposes of this Act in connection with which the county of Lanark is not specially named, the Lower Ward, Middle Ward, and Upper Ward of the county of Lanark shall each be deemed and taken to be a county in the sense of this Act, under the designations of the 'County of the Lower Ward of Lanark,' the 'County of the Middle Ward of Lanark,' and the 'County of the Upper Ward of Lanark,' respectively, and the convener of the county of Lanark shall for the purposes of this Act be the convener of each of such three counties, and it shall not be obligatory upon, but only permissive to, the trustees of such counties to divide them into districts for the purpose of managing the highways under their control, or for any other purposes under this Act. A certified copy of the list of commissioners of supply of the county of Lanark, made up as before-mentioned, shall be delivered as above provided to the county road clerk of each of such three counties, and each commissioner of supply whose name appears upon such list shall be a county road trustee in such of these three counties in which he may have the qualification of a commissioner of supply, but subject to the provision that no factor whose name appears on such list shall be entitled to act or vote except in the absence of the proprietor."

DR. CAMERON suggested that the clause should be postponed, on the ground that considerable diversity of interest between different wards existed, and it was desirable that the opinion of the local authorities, in reference to the clause, should be ascertained before it was embodied in the Bill.

SIR WINDHAM ANSTRUTHER explained that at the county meetings the principle of the clause had been approved by the local authorities interested.

Clause *agreed to,* and *added* to the Bill.

SIR EDWARD COLEBROOKE moved, in page 43, after Clause 85, to insert the following Clause:—

(Special provision as to Glasgow and Garscube Road.)

"Whereas the turnpike road leading from Glasgow to the Milnford of Garscube, which, with the exception of a portion of the bridge over the River Kelvin at the northern termination thereof, is situate entirely within the burgh of Maryhill, is carried under the Forth and Clyde Navigation by a very low and narrow bridge, and the trustees of that road have accumulated certain funds for the purpose of improving the same by constructing a diversion of the said navigation, and a bridge of ampler dimensions under such diversion, for which improvement powers have already been obtained from Parliament but are about to expire, and it is expedient that the funds accumulated as aforesaid should be applied towards the execution of such improvement: Therefore if within five years after the passing of this Act the powers for executing the said improvement shall be renewed, or new powers for a similar object shall be granted by Parliament, the said funds so far as necessary for the purpose shall be applied in carrying such powers into effect, by the said trustees until the improvement be completed, or until the Acts under which those trustees are constituted cease to be in force, and after those Acts cease to be in force (if the improvement be not then completed, and if the said funds or any part thereof remain then on hand) by the commissioners of police of the burgh of Maryhill, to whom the trustees shall, upon the said Acts ceasing to be in force, hand over such funds or the balance thereof then on hand, if any, as the case may be."

DR. CAMERON inquired whether the clause had received the approval of the Glasgow authorities? If not, he should suggest that it should be postponed in order to give them an opportunity of expressing an opinion with regard to it.

SIR EDWARD COLEBROOKE explained that the Glasgow authorities were in no way interested in the clause, which was purely of a local character. The object of the clause was to prevent the funds accumulated by the trustees of the turnpike road leading from Glasgow to the Milnford of Garscube for the purpose of its improvement, by the diversion of the Forth and Clyde navigation, and the construction of a bridge of ampler dimensions, being lumped into the general funds of the county on the expiration of the improvement powers already obtained from Parliament.

DR. CAMERON said, that notwithstanding the explanation of the hon. Baronet, he hoped that he would postpone the clause for the present.

Clause, by leave, *withdrawn.*

SIR WINDHAM ANSTRUTHER moved, in page 45, after Clause 86, to insert the following Clauses:—

Bye-laws by Board.

(Power of Board to make bye-laws.)

"The Board may from time to time make, with respect to all or any highways within their jurisdiction, and, when made, may alter or repeal bye-laws for all or any of the purposes following (that is to say):—

"(1.) For prohibiting the use of any waggon, cart, or carriage, drawn by animal power, and having wheels of which the fellies or tires are not of such width in proportion to the weight carried by, or to the size of, or to the number of wheels of such waggon, cart, or carriage, as may be specified in such bye-laws; and

"(2.) For prohibiting the use of any waggon, cart, or other carriage, drawn by animal power not having the nails on its wheels countersunk in such manner as may be specified in such bye-laws, or having on its wheels bars or other projections forbidden by such bye-laws; and

"(3.) For prohibiting the locking of the wheel of any waggon, cart, or carriage, drawn by animal power when descending a hill, unless it is locked in such manner as to prevent the road from being destroyed or injured by the locking of such wheel; and

"(4.) For prohibiting the erection of gates across highways except under regulations specified in such bye-laws.

"Penalties to be recovered summarily may be imposed by any such bye-laws on persons breaking any bye-law made under this section: Provided, That no such penalty exceeds for any one offence the sum of two pounds, and that the bye-laws are so framed as to allow of the recovery of any sum less than the full amount of the penalty."

Clause *agreed to;* and *added* to the Bill.

SIR WINDHAM ANSTRUTHER moved a Clause containing a series of Amendments, as follows:—

(Weight of locomotives and construction of wheels.—24 and 25 Vic. c. 70; 28 and 29 Vic. c. 83.)

"Section three of 'The Locomotive Act, 1861,' and section five of 'The Locomotive Act, 1865,' are hereby repealed so far as relates to Scotland; and, in lieu thereof, Be it Enacted, That it shall not be lawful to use on any highway a locomotive constructed otherwise than in accordance with the following provisions (that is to say):

"(1.) A locomotive not drawing any carriage, and not exceeding in weight three tons, shall have the tires of the wheels thereof not less than three inches in width, with an additional inch for every ton or fraction of a ton above the first three tons; and

"(2.) A locomotive drawing any waggon or carriage shall have the tires of the driving wheels thereof not less than two inches in width for every ton in weight of the locomotive; and

"(3.) A locomotive shall not exceed nine feet in width or fourteen tons in weight, except as hereinafter provided; and

"(4.) The wheels of a locomotive shall be cylindrical and smooth-soled, or shod with cross-bars of not less than three inches in width nor more than three-quarters of an inch in thickness, and the space intervening between each such cross-bar shall not exceed three inches.

"The owner of any locomotive used contrary to the foregoing provisions shall for every such offence be liable to a penalty not exceeding five pounds: Provided, That the local authority of any burgh and the Board of any county may, on the application of the owner of any locomotive exceeding nine feet in width or fourteen tons in weight, authorize such locomotive to be used on any highway within such burgh or county as the case may be, or on any part of such highway, under such conditions (if any) as to them may appear desirable."

(Amendment of section 3 of Locomotive Act, 1865.)

"The paragraph numbered 'secondly' of section three of 'The Locomotive Act, 1865,' is hereby repealed, so far as relates to Scotland, and in lieu thereof the following paragraph is hereby substituted: namely,

"'Secondly, one of such persons, while the locomotive is in motion, shall accompany the locomotive on foot, and shall in case of need assist horses, and carriages drawn by horses, passing the same.'"

(Steam locomotives to be constructed so as to consume their smoke.)

"Section eight of 'The Locomotive Act, 1861,' is hereby repealed so far as relates to Scotland; and, in lieu thereof, Be it enacted, That every locomotive used on any highway shall be constructed on the principle of consuming its own smoke; and any person using any locomotive not so constructed shall be liable to a penalty not exceeding five pounds for every day during which such locomotive is used on any such highway."

(Power to local authorities to make orders as to hours during which locomotives may pass over roads.)

"Section eight of 'The Locomotive Act, 1865,' is hereby repealed so far as relates to Scotland; and, in lieu thereof, Be it enacted, That the local authority of any burgh and the Board of any county may make bye-laws as to the hours during which locomotives are not to pass over the highways situate within such burgh or county, as the case may be, the hours being in all cases consecutive hours, and no more than eight out of the twenty-four; and any person in charge of a locomotive acting contrary to such bye-laws shall be liable to a penalty not exceeding five pounds."

(Power of Board to licence locomotives.)

"The Board may from time to time make, alter, and repeal bye-laws for granting annual licences to locomotives used within their county, and the fee (not exceeding ten pounds) to be paid in respect of each licence; and the owner of any locomotive for which a licence is required under any bye-law so made, who uses or permits the same to be used in contravention of any such bye-law, shall be liable to a penalty not exceeding forty shillings for every day on which the same is so used.

"All fees received under this section shall be applied as the bye-laws shall direct."

(Duration of five preceding sections.)

"The five immediately preceding sections shall remain in force so long only as 'The Locomotive Act, 1865,' continues in force."

MR. J. W. BARCLAY objected to the Amendments being taken at that stage of the proceedings.

SIR GEORGE CAMPBELL observed that at one time the Government had shown itself rather stiff in accepting Amendments and suggestions with regard to this Bill; but now they appeared to have fallen into the other extreme, and were willing to swallow anything. This clause containing the Amendments was a very complicated one, and ought to be carefully considered by the Government before it was accepted by them.

MR. VANS AGNEW remarked that the clause had been carefully considered by a Committee of that House on the Highways Bill, and that not a single word of it had been changed. It could not be said, therefore, that the clause had taken the Committee by surprise. All that was asked by those who approved the principle of the clause was that the provisions of the Highway Bill, already approved by the House, should be embodied in this Bill. The Committee had had an assurance from the right hon. and learned Lord Advocate, in the earlier part of the evening, that the principle of these provisions would be accepted in reference to the measure.

SIR GEORGE CAMPBELL understood that the provisions of the Highway Bill to which the hon. Member referred were those which were to be approved by the House, not which had already been approved by it. He hoped that the hon. Baronet would postpone the clause.

SIR WINDHAM ANSTRUTHER was sorry that he could not accede to the proposal of the hon. Gentleman to postpone the clause.

DR. CAMERON thought that it would be preferable to extend the provisions of the English Highway Bill to Scotland, instead of to introduce the clauses of the Bill into the measure before the Committee.

THE LORD ADVOCATE thought that under the circumstances it would be preferable that the clause should be postponed. Either the clauses of the English Highway Bill would be extended to Scotland, or else they would be inserted in the Bill.

SIR WINDHAM ANSTRUTHER said, that under the circumstances he begged to withdraw the clause.

Clause, by leave, *withdrawn.*

SIR EDWARD COLEBROOKE moved, in page 50, after Clause 105, to insert the following Clause:—

(Continuing in force provisions of local Acts with respect to buildings, &c. on sides of roads.)

"Notwithstanding the hereinbefore contained enactments that the local Acts now in force relating to turnpike roads and statute labour roads shall cease to be in force at the respective times hereinbefore provided, all the provisions of such Acts which provide that houses, walls, or other buildings shall not be erected, or that new enclosures or plantations shall not be made within certain distances therein specified from the centre of such respective roads which are greater than the distance prescribed by section ninety-one of the Act first and second King William the Fourth, chapter forty-three, applied by this Act to those roads, are hereby continued in force; and the trustees, boards, district committees, and burgh local authorities having the management of such respective roads and their officers, may enforce such provisions in the same manner as the trustees having the management of such respective roads under such local Acts and their officers might now enforce the same."

Clause *agreed to,* and *added* to the Bill.

SIR ALEXANDER GORDON moved, in page 57, after Clause 106, to insert the following Clauses:—

(Section 54 to be incorporated with "The Aberdeenshire Roads Act, 1865.")

"107. Section fifty-four of this Act shall be deemed to be part of, and is hereby incorporated as part of, 'The Aberdeenshire Roads Act, 1865,' twenty-eighth and twenty-ninth Victoria, chapter two hundred and forty."

THE CHAIRMAN pointed out that the hon. and gallant Member could not move the clause. It was incompetent to move a clause which had such reference to a Local Act. It would be a departure from the Standing Orders to make such an alteration in a Private Act without giving the necessary Notices; and, therefore, he must ask the hon. and gallant Member to move the second of his new clauses, but not before the first.

SIR ALEXANDER GORDON accordingly moved the following new Clause:—

"108. In counties having local Acts under which tolls and statute labour have been abolished or are not exigible, and the assessments for the maintenance and repair of the roads and bridges therein are payable, one-half by the proprietor and the other half by the tenant or occupier of the lands and heritages on which the same are imposed, but the rates at which such assessments may be imposed are limited to a maximum, it shall be lawful for the trustees of such counties, notwithstanding anything in such local Acts contained, to increase the rates beyond those specified in such local Acts, if it shall be found necessary or expedient so to do, for the purpose of effectually carrying out the provisions of the said local Acts."

Clause *agreed to,* and *added* to the Bill.

THE CHAIRMAN asked, whether the hon. and gallant Member now proposed to move the third of his new clauses?

SIR ALEXANDER GORDON moved that the third new clause be added to the Bill.

THE LORD ADVOCATE objected to the clause, on the ground that it would considerably alter the character of the Local Act.

Clause *negatived.*

MR. J. W. BARCLAY moved the following new Clause:—

(Trustees to have power to make bye-laws.)

"The trustees may from time to time make bye-laws for the better regulation of their business or the management of the roads, and to amend or rescind the same, provided that such bye-laws are not contrary to the spirit or intent of this Act and shall have been approved by the sheriff of the county, after their publication in some newspaper circulating in the county at least ten days before the sitting of the sheriff for their consideration."

The hon. Member said, the object of the clause was to enable the trustees to make bye-laws provided they were not inconsistent with this Act. Power had already been given to the trustees to make bye-laws in reference to peculiar matters which came before them.

THE LORD ADVOCATE said, he must ask the hon. Member to postpone the clause.

Clause, by leave, *withdrawn.*

MR. RAMSAY moved the following new Clause:—

(Transfer of Linlithgow Bridge.)

"Whereas by an Act of the Parliament of Scotland, passed in the year one thousand six hundred and eighty-five, the magistrates and town council of the royal burgh of Linlithgow were authorised and empowered to impose and levy dues for the purpose of repairing and upholding Linlithgow Bridge, and to apply the surplus 'to any public use for the good and utility of the town,' and such dues have since that time been so levied and applied, and whereas the right of property in the said bridge is vested in the said magistrates and town council, and such bridge is situated partly in the county of Linlithgow and partly in the county of Stirling: Be it enacted, That, on the commencement of this Act, the recited Act of the Parliament of Scotland shall be repealed, and the right of property in Linlithgow Bridge shall thereupon vest in the road trustees of the county of Linlithgow and in the road trustees of the county of Stirling, who shall jointly and rateably, in the proportion of the valuation of these counties respectively, be bound to pay to said magistrates and town council the value of the said bridge, together with compensation for the loss of the surplus of the foresaid dues, as the amount of the same may be ascertained and determined by arbiters, one of whom shall be appointed by the road trustees of the counties of Linlithgow and Stirling at a joint meeting of said trustees, to be convened for that purpose within three months after the commencement of this Act, and one by the said magistrates and town council; and such arbiters, when so appointed, and before proceeding to consider the questions referred to them, shall elect an oversman, and, failing the appointment of an arbiter by the foresaid road trustees, it shall be competent for the said magistrates and town council to apply to the sheriff of the county of Linlithgow to appoint a person to perform the duty of such arbiters, and the decision of such arbiters, or oversman, or person appointed by the sheriff, shall be final."

The hon. Member asked the leave of the Committee to make a few brief remarks in reference to the clause. ["No, no!"] Hon. Members said "No, no;" but he felt it to be his duty to proceed, and he expected that he should receive the support of the right hon. and learned Lord opposite, when he had heard what he had to say on the subject. The burgh of Linlithgow had been for many centuries a Royal burgh, and it had been frequently the place of residence of the Scottish Sovereigns. He did not intend to enter into a disquisition upon Linlithgow bridge; but he might state that in the 17th century the Earls of Linlithgow, who then held large estates there, erected a bridge over the River Avon for the improvement of the means of communication between Edinburgh and Stirling and the Northern districts of Scotland. The Earls of Linlithgow having done this at their own expense, they received from the Sovereign the right of levying tolls from those using the bridge for the purpose of re-imbursing themselves the expense which they had incurred in its erection. The Earls of Linlithgow, by an arrangement with the magistrates of that burgh, transferred to them their right to levy tolls for 1,620 pounds Scots, a sum which in 1681, the date of the transfer, was the equivalent of £2,000 at the present day. By that arrangement, the property in the bridge was vested in the magistrates and town council of the burgh. The magistrates and the town council of the burgh had, it appeared, been very seriously plundered during the time of the Commonwealth. When Cromwell visited the burgh, he found it in possession of considerable wealth, and he took away a great part of it. [*Laughter.*] Hon. Gentlemen might laugh, if they pleased; but it was no laughing matter. The Corporation presented a Petition to the Scotch Parliament, and after considering the whole subject in the year 1685, they recognized the transfer of the property in the bridge to the town council of the burgh, and confirmed their title and their right to apply the revenues accruing from the dues to the maintenance of the bridge, the surplus to be devoted to any public use for the benefit of the town. Under those rights the corporation from that time to this had continued to collect those dues which amounted now to nearly £200 per annum. The bridge was not within the burgh, but about a mile beyond its western boundary, and the burgh was entirely dependent for many of the purposes of local government on the revenue accruing to it from that source. In his judgment, the corporation had the same right to that revenue that any private individual had to his estate if held under a Parliamentary title; and he regarded with some distress the proposition contained in the present Bill, by which the corporation could be deprived of these estates without compensation. He trusted the right hon. Gentleman (Mr. Cross) and the right hon. and learned Lord Advocate would not perpetrate such an injustice, but would cause the road trustees of the counties which were to take the bridge to pay the corporation the fair value of the surplus revenues they had enjoyed for the last 190 years. In his judgment, no landlord had a better title than the corporation of Linlithgow had to the bridge dues. He himself held lands taken by the Crown in the same century, and he had no other title than the corporation had—a Parliamentary title. If the Government took away the property of a corporation held by a Parliamentary title, the next step might be to take away his estate. He did trust the right hon. and learned Lord would recognize the equity of the claim he was advancing.

THE LORD ADVOCATE said, he should forbear to criticize the title by which his hon. Friend (Mr. Ramsay) held his lands, because he did not know the particulars of it. But, because he did intend to adopt the principle laid down in the Bill, he was unable to concede the claim advanced by his hon. Friend. He entirely demurred to the statement that the bridge was the property of the corporation of Linlithgow. It was built by the Earl of Linlithgow, and he obtained from the Crown—which had then the power to grant them—a grant of the customs for 19 years. As distinctly appeared in the Act, the sum paid was not for the bridge, but was for the right to take customs for 19 years. The bridge was leased to the corporation, and when their lease came to an end, they went and got a grant in their own favour to levy sufficient to keep the bridge in repair, and were authorized, "if there were any surplus," to apply it to the use of the burgh. That was, indeed, a description of through customs in every part of Scotland. They were levied on people passing, who were taken by the neck and despoiled of a certain amount of coin of the realm. He had looked at the matter very closely, and he could not see what right the corporation had to claim compensation.

MR. RAMSAY was sorry that the right hon. and learned Lord had felt it necessary to distort the facts in order to throw ridicule upon the claim. The price paid in 1685 was not for the dues for a certain period; but, as he could testify from a careful examination of the documents in possession of the corporation, for the bridge dues for ever. Not only was the bridge the property of the burgh, but he believed no action would lie against them if they were to take it down. If anyone bought a bridge with right to pontage and paid for it, and held it for nearly 200 years, it was a very strong measure, especially as coming from a Conservative Government, to treat the claim with derision as if it were destitute of any foundation whatever. This burgh might seem a very insignificant place to Her Majesty's Government; but, notwithstanding anything said, its claim to the surplus of these dues was as good as that of any Gentleman in the House to his estate. The Committee were asked to sanction a very gross injustice. The road trustees of

Linlithgowshire and Stirlingshire were to use this bridge; if a new one were required their ratepayers were charged with its cost, and yet the right hon. and learned Lord said there was no right of property in the bridge itself. Whose was the bridge? It did not belong to the public, for they were divested of any of their rights in favour of the town council of Linlithgow. There was ample evidence in the right hon. and learned Lord's hands to show that the Government would be guilty of confiscating the private property in order to satisfy the ratepayers of Stirling and Linlithgow, if this bridge were taken.

The LORD ADVOCATE was sorry the hon. Member had felt it necessary to use such strong language in advocating his claim, if it were such a good one. The facts in his possession showed as clearly as could be that the bridge was not the property of the corporation. The Act of Parliament stated that whereas His Majesty had granted to his trusty and well beloved cousin the Earl of Linlithgow the customs for 19 years, that for the loving kindness he bore to the town, he did give them, not the bridge for the use of the town, but the customs for 19 years, with all right and title which the said Earl or others claimed with the aforesaid customs. There was not one word about the right or property in the bridge. He found, also, that the sum mentioned was paid for the right to take the customs during the remaining 19 years of the Earl's grant. He had not distorted the facts.

Mr. M'LAGAN said, his hon. Friend (Mr. Ramsay) wanted not only to lay the burden of maintaining this bridge upon the counties of Linlithgow and Stirling, but he wanted them also to pay for this revenue of £200, for which they had never received any benefit whatever. The bridge was made, not for the people resident in those counties, but for persons passing from Edinburgh to the North and West. The county of Linlithgow was abolishing all tolls, and did not ask anybody unconnected with the county to pay for keeping up its roads. Surely the burgh authorities ought to do the same. On the contrary, they asked the county not only to keep up the bridge, but to pay compensation besides. He quite sympathized with the effort his hon. Friend was making, and he should be glad if he could get compensation anywhere else. He should advise him to try the Consolidated Fund.

Admiral Sir WILLIAM EDMONSTONE said, if the claim for compensation were granted, it would be a great injustice to the county which he had the honour to represent.

Mr. RAMSAY did not see how he could, with any propriety, ask the Chancellor of the Exchequer for a grant. It never presented itself to him as a case in which he could fairly ask for compensation from the Government. If this bridge were taken away from the burgh, it would be equivalent to saying that the burgh should cease to exist; for the town council would have no money with which to carry on their affairs. He would move to report Progress, that Her Majesty's Government might consider what they were proposing.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Ramsay.*)

Mr. ASSHETON CROSS said, the Government considered the question months and months ago, and the Lord Advocate had come to the deliberate conclusion that the claim ought not to be set up. Therefore, they would be no wiser if Progress were reported, and he hoped the Motion would be withdrawn.

Mr. J. W. BARCLAY said, his hon. Friend (Mr. Ramsay) had fought the case of the burgh very gallantly; but he did not see how he could expect to make out a better case at a future time. He hoped his hon. Friend would withdraw, and let them get on with the Bill.

Mr. RAMSAY said, he had supported the Bill at every stage, but he could no longer accept a measure which perpetrated such an injustice. If the Government had carried out the principle of the Bill they would have assented to his Motion; and he, therefore, must think the worry of the long discussion had led them to refuse to entertain it. ["No, no!"] Well, he felt that very strongly. It was true he had brought the subject under the notice of the Government months ago, but he had a prejudice in favour of the Bill. It was a case of interest to his constituents, and he brought the matter forward simply from a sense of the equity of the claim. If, then, it were dismissed in that way, rather than see the Bill pass, he would obstruct it at every stage.

Dr. CAMERON said, he had been so struck with what had been done in the case of Glasgow, that he could believe the Government would do anything. He fully sympathized with his hon. Friend (Mr. Ramsay), but still he thought the matter might be postponed till the Report.

Mr. M'LAGAN hoped the Motion would be withdrawn. If there were an injustice done at present, it was to the counties; while, if this demand were granted, it would open up any number of other cases, and would overthrow the Bill altogether. There was a bridge in Musselburgh in the very same position, and if Linlithgow had compensation, it would be asked for that burgh also.

Mr. RAMSAY said, what his hon. Friend had said had very little influence upon him, because he really felt that that was an injustice. It might be a very humble and insignificant burgh; but it was suffering under an injustice, and therefore he protested against it. Of course, if he were seeking a remedy in an improper way, he should be glad if he were told so; but at present it seemed to him he was following out the principle laid down in the Bill; therefore, he did not think he was guilty of anything like obstruction when he tried to prevent an improper Bill from passing. He would like to ask, however, whether it was open to him to discuss this matter on the Report, after having discussed it in Committee? If it were in accordance with the Rules of the House, he would like to take the opinion of the House on the question when the benches opposite were fuller than they were now, and then he felt that he would not be treated as he had been.

The CHAIRMAN said, the hon. Member would not be prevented from bringing forward the matter on the Report, by the fact that he had discussed it in Committee.

Mr. RAMSAY said, then he would bring up the subject again on the Report.

Motion, by leave, *withdrawn.*

The CHAIRMAN asked, if the hon. Member proposed to move the following clause which stood in his name:—(Power to acquire land and materials)?

Mr. RAMSAY said, the matter had already been fully discussed, and the Committee had come to a decision adverse to his views. Therefore, he would not propose the clause. As to his next proposal, to insert Sections 87 to 92, both inclusive, and also Sections 94, 96, 97, and 98, and 100 to 108, both inclusive, of 1 & 2 *Will. IV.* c. 43, he understood the right hon. and learned Lord Advocate had agreed to incorporate them in a Schedule.

The CHAIRMAN said, he must point out to the hon. Member for Forfarshire (Mr. J. W. Barclay), that the next new clause which stood in his name (Application of Act in the county of Forfar) was open to the same objection as that which he had a little while ago pointed out in the case of the hon. and gallant Member for East Aberdeenshire (Sir Alexander Gordon).

Mr. J. W. BARCLAY, said, he would withdraw the clause, and see if anything could be done in the matter before the Report.

Clause, by leave, *withdrawn.*

Mr. CAMPBELL-BANNERMAN said, he wished to move the Amendment that stood in the name of the hon. and gallant Member for the Haddington Burghs (Sir Henry Davie). There was no objection to the principle.

Lord ELCHO said, he hoped the Government would do the same thing in another way.

Amendment, by leave, *withdrawn.*

Schedules read, and *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Thursday* next, and to be *re-printed.* [Bill 224.]

PUBLIC HEALTH (IRELAND) (*re-committed*) BILL—[Bills 1-199.]

(*Sir Michael Hicks-Beach, Mr. Attorney General for Ireland.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

The following Amendments were made, and the clauses, as amended, were *agreed to:*—

Clause 107, line 6, all the words after the word "place" in that line, down to the word "house" in line 8 were left out; Clause 191, page 69, line 6, to insert after the word "situated," "any such clerk, &c."

MR. O'SHAUGHNESSY, in moving, after Clause 229, to insert the following Clause:—

(Incidence of rate.)

"Where the person occupying property out of which any money is payable under the two hundred and twenty-fourth and two hundred and twenty-seventh sections of this Act shall be liable to pay a rent in respect of the same, he may deduct from such rent, for each pound of the rent which he shall be liable to pay, one half of the sum which he shall have paid under the said sections in respect of each pound of the net annual value (whether such rent shall be greater or less than such net annual value), and so in proportion for any less sum than a pound: And be it further enacted, That where any person receiving rent in respect of any rateable property shall also pay a rent in respect of the same, he shall be entitled to deduct from the rent so paid by him a sum bearing such a proportion to the amount of rate deducted from the rent received by him as the rent paid by him bears to the rent received by him;"

said, it had reference to the mode of raising taxation in towns for the purposes of the Act. In rural districts sanitary rates were to be paid partly by the owner and partly by the occupier, while in towns they were to be paid entirely by the occupier. This was manifestly very unfair, for sanitary improvements in towns were far more permanent than they were in the country; and they were, therefore, of far more value to the owner than to the occupier, for the latter's interest was usually of a very transitory character, seeing that he might reside in the town only for a very short period. If owners of property had to pay some of the rates, they would be likely, also, to take far greater interest in municipal affairs. It had been suggested to him that it would be better to raise this question in the Committee which was sitting on Local Government and Taxation of Towns in Ireland; but he contended that it was properly raised on that Bill, which was an amending, as well as a consolidating, Bill. In the towns, the owners were a far wealthier class than the occupiers, and this added to the injustice of saddling the latter with the entire of the rates. Another effect which the Amendment would have would be, that it would induce owners, who were usually of the higher class, to take a practical interest in the working of municipal institutions, to which they would be freely elected if only they became candidates.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, this was a most important question, and he could not at all dispute the right of his hon. and learned Friend to raise it. At the same time, he ventured to think the Amendment went beyond the general frame and scope of the Bill. This was essentially a Consolidation Act, bringing into a reasonable compass and united form about 20 Acts for the use of those who had to administer the law. It was true it was also, in one sense, an amending Act. When it was apparent that certain matters required amendment, and the change did not interfere with the important principles which lay beneath the sanitary system of Ireland, then amendment had been made. But, though several changes had been made in machinery, few alterations had been made in principles. The Amendment, on the other hand, involved the gravest issues that could be suggested, and, if carried, it was obvious the matter could not be left there. There was a broad and obvious distinction between the country and the town. In the country the landlord paid part of the rate, but then he had a large voice in the distribution of the money. That was not the case in the towns; and if the occupiers had to pay the entire rate, they also had the privilege of spending it. If the Amendment were adopted, it would practically involve the withdrawal of the Bill, which, he was sure, was not the desire of his hon. and learned Friend. He therefore trusted the Motion would not be pressed. He thought that the question would be more properly discussed before the Local Government and Taxation of Towns Committee, and on the Bill, which might be the outcome of their labours.

MR. GRAY felt that the arguments were entirely in favour of his hon. and learned Friend (Mr. O'Shaughnessy); but he trusted, nevertheless, that he would not press the Amendment. No good could possibly be served by it, for this was part of a very wide question, which could scarcely be settled at the moment. He did not agree with the argument that owners were not represented in towns. They were represented even at present indirectly, and they might be much more adequately represented if they were not so apathetic, and if they did not abstain from taking any part in municipal government. The Amendment would remove one anomaly, but it would create another, by making a difference between new urban districts and the old ones. The question was a very wide one, and could be far better discussed by the Committee then sitting. His hon. and learned Friend desired to see the Bill pass, and he must be aware that his Amendment would serve no practical purpose. Therefore, he would appeal to him not to press it.

MR. O'SHAUGHNESSY said, he had no desire to interfere with the passing of the Bill, and therefore he would withdraw the Amendment. At the same time, he protested againt the idea that in these Consolidation Bills they were to renew all defective principles, and no one was to be allowed to discuss them, but that they were always to be told that they must pass new amending Acts. If owners of property in boroughs were not represented, it was entirely their own fault; and one object he had in view in proposing this new clause was to rouse them out of their apathy, and make them take seats on the municipal councils. Only by indirect means could they induce owners to take an interest in local affairs, and one of the best was to make them pay money out of their own pockets, and so to give them an interest in its expenditure.

Clause, by leave, *withdrawn.*

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow,* at Two of the clock.

CORRIB (GALWAY) RIVER BILL.

On Motion of Sir HENRY SELWIN-IBBETSON, Bill for the appointment of Trustees to maintain certain works executed near the River Corrib, in the county of Galway; and for other purposes, *ordered* to be brought in by Sir HENRY SELWIN-IBBETSON and Mr. JAMES LOWTHER.

Bill *presented,* and read the first time. [Bill 225.]

PARLIAMENTARY REPORTING.

Ordered, That the Select Committee on Parliamentary Reporting do consist of Seventeen Members: — That Sir HENRY HOLLAND, Mr. HUTCHINSON, Mr. COWEN, and Major ARBUTHNOT be added to the Committee.—(*Mr. Chancellor of the Exchequer.*)

House adjourned at Two of the clock.

[INDEX.

INDEX

TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCXL.

FOURTH VOLUME OF SESSION 1878.

Explanation of the Abbreviations.

In Bills, Read 1°, 2°, 3°, or 1^{a}, 2^{a}, 3^{a}, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—1*st. Div.*, 2*nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

Some subjects of debate have been classified under the following "General Headings:"—ARMY — NAVY — INDIA — IRELAND — SCOTLAND — PARLIAMENT — POOR LAW—POST OFFICE—METROPOLIS — CHURCH OF ENGLAND — EDUCATION — CRIMINAL LAW — LAW AND JUSTICE — TAXATION, under WAYS AND MEANS.

ABERDARE, Lord
Noxious Vapours Commission, Report, 125

Aberdeen District Tramways Bill (*by Order*)

c. Moved, "That the Bill be now read 3°" *June* 17, 1574
Amendt. to leave out "now," and add "upon this day three months" (*Sir Walter B. Barttelot*); Question proposed, "That 'now,' &c.;" after debate, Moved, "That the Debate be now adjourned" (*Sir Joseph M'Kenna*); after further short debate, Motion withdrawn
Question again proposed, "That 'now,' &c.;" Moved, "That the Debate be now adjourned" (*Mr. Delahunty*); after short debate, Question put, and negatived; Question put, "That 'now,' &c.;" A. 216, N. 119; M. 97 (*D. L.* 173)
On Question, "That the Bill be now read 3°?" after short debate, Question put, and agreed to; Bill read 3°

Acknowledgment of Deeds by Married Women (Ireland) Bill
(*Mr. Meldon, Mr. O'Shaughnessy*)

c. Moved, "That the Bill be now read 3°" *May* 16, 122

Acknowledgment of Deeds by Married Women (Ireland) Bill—cont.
Moved, "That the Debate be now adjourned" (*Mr. O'Connor Power*); after short debate, Question put; A. 1, N. 79; M. 78 (D. L. 137)
After further short debate, Moved, "That the Bill be now read 3°;" Question put; A. 77, N. none (D. L. 139) [Bill 173]
l. Read 1ª* (*Earl of Belmore*) *May* 17 (No. 87)
Read 2ª *May* 24, 618
Committee * *May* 28
Report * *May* 31
Read 3ª * *June* 3
Royal Assent *June* 17 [41 *Vict.* c. 23]

ADAM, Right Hon. W. P., *Clackmannan, &c.*
Supply—Marlborough House, 1360
New Courts of Justice and Offices, 1375
Public Buildings, 1364

Admiralty and War Office (Retirement of Officers) Bill
(*Sir Henry Selwin-Ibbetson, Colonel Stanley, Mr. William Henry Smith*)
c. *Clerks of Royal Engineer Department*, Question, Sir Henry Havelock; Answer, Sir Henry Selwin-Ibbetson *May* 31, 1037
Read 2°, after debate *June* 6, 1313 [Bill 169]

Admiralty and War Office [Retirement of Officers]
Resolution considered in Committee *June* 13, 1491

Adulteration of Seeds Act (1869) Amendment Bill
(*Marquess of Bristol*)
l. Read 2ª* *May* 17 (No. 79)
Committee*; Report *May* 20
Read 3ª* *May* 21
Royal Assent *May* 27 [41 *Vict.* c. 17]

ADVOCATE, The Lord (Right Hon. W. WATSON), *Glasgow, &c. Universities*
Coal Mines—Blantyre Colliery Explosion, 29
Roads and Bridges (Scotland), Comm. *cl.* 12, 1184, 1185, 1186, 1187, 1188, 1189, 1191, 1195, 1196; *cl.* 15, 1197, 1200; *cl.* 16, 1205; Amendt. 1206, 1212; *cl.* 18, 1214; *cl.* 19, 1215; *cl.* 24, 1216, 1686, 1689; *cl.* 29, 1690, 1691, 1693; Amendt. 1694; *cl.* 30, 1695; *cl.* 32, *ib.*; *cl.* 33, Amendt. *ib.*, 1696; Amendt. 1697, 1698, 1699; *cl.* 34, Amendt. *ib.*; *cl.* 35, *ib.*, 1700; *cl.* 36, 1701, 1703, 1705, 1706, 1707, 1708; *cl.* 38, 1711; Amendt. 1712; *cl.* 41, 1714, 1716, 1720; *cl.* 43, 1721; *cl.* 44, Amendt. *ib.*, 1722; *cl.* 45, 1723, 1725, 1727, 1729; *cl.* 49, 1732, 1733; *cl.* 50, 1736; *cl.* 55, 1737; *cl.* 62, 1889; *cl.* 63, 1890; *cl.* 67, Amendt. *ib.*; *cl.* 78, 1891; *cl.* 79, Amendt. 1892; *cl.* 83, Amendt. *ib.*, 1893; *cl.* 85, Amendt. *ib.*, 1896, 1898, 1899, 1900; *cl.* 96, *ib.*; *cl.* 97, 1901; *cl.* 98, 1902, 1903, 1904; *cl.* 102, 1905;
[*cont.*

ADVOCATE, The Lord—cont.
cl. 103, *ib.*; *cl.* 104, 1907, 1908; *cl.* 105, *ib.*, 1913; Amendt. 1917, 1918; *cl.* 106, 1919; Postponed *cl.* 54, *ib.*, 1920, 1926, 1928, 1934; *add. cl.* 1939, 1940, 1957, 1964, 1965, 1966, 1967, 1970, 1973, 1981, 1983, 1986, 1987
Scotland—Miscellaneous Questions
Lunacy Commission—The Vacancy, 926
Police Superannuation Fund, 498
Sale of Food and Drugs Act, 1875, 495
Scotland—Religious Denominations (Scotland), Motion for a Select Committee, 1779
Supply—Fishery Board in Scotland, 686
Queen's and Lord Treasurer's Remembrancer, 669, 671, 672, 673, 675
Under Secretary of State, 2R. 822

Africa
South Africa—The Native Tribes, Question, Mr. Alexander M'Arthur; Answer, Sir Michael Hicks-Beach *May* 20, 258
The Cape—Telegraphic Communication, Question, Colonel Mure; Answer, Sir Michael Hicks-Beach *May* 30, 928

AGNEW, Mr. R. Vans, *Wigton Co.*
Roads and Bridges (Scotland), Comm. *cl.* 17, 1214; *cl.* 36, 1705; *cl.* 49, 1733; *cl.* 105, 1912; Postponed *cl.* 54, 1920; Amendt. 1924, 1926; *add. cl.* 1981

ALEXANDER, Colonel C., *Ayrshire, S.*
Army Estimates—Army Reserve, 1475, 1482
Roads and Bridges (Scotland), Comm. *cl.* 15, Amendt. 1199; *cl.* 17, Amendt. 1209; *cl.* 24, Amendt. 1689; *cl.* 41, Amendt. 1712, 1713, 1718, 1719; *cl.* 49, Amendt. 1732, 1734; *cl.* 55, Amendt. 1737; *cl.* 62, Amendt. 1888; Postponed *cl.* 54, Amendt. 1919, 1920, 1930

Ancient Monuments Bill
(*Sir John Lubbock, Mr. Beresford Hope, Mr. Osborne Morgan, Mr. Russell Gurney*)
c. Committee *; Report *June* 6 [Bills 63-209]

ANDERSON, Mr. G., *Glasgow*
Post Office—Eastern Mail Service, 1887
Post Office and Mail Service—Peninsular and Oriental Company, 1255
Racecourses (Licensing), Comm. 1240; *cl.* 1, 1486, 1487; *cl.* 6, 1488; Preamble, 1489
Roads and Bridges (Scotland), Comm. *cl.* 12, Amendt. 1182, 1184, 1186, 1190; *cl.* 15, Amendt. 1199; *cl.* 16, 1208, 1209; *cl.* 36, 1710; *cl.* 105, 1914; Postponed *cl.* 54, Amendt. 1926, 1937; *add. cl.* Amendt. 1942, 1944, 1958, 1960, 1965, 1966, 1968, 1969, 1970

ANSTRUTHER, Sir R., *Fifeshire*
Grocers' Licences in Scotland, 261

Anstruther, Sir W. C., *Lanarkshire, S.*
Roads and Bridges (Scotland), Comm. *cl.* 12, Amendt. 1184, 1186 ; *cl.* 33, Amendt. 1696 ; *cl.* 41, 1717 ; *cl.* 42, Amendt. 1720 ; *cl.* 49, Amendt. 1733 ; *cl.* 62, Amendt. 1889 ; *cl.* 93, Amendt. 1900 ; *cl.* 105, Amendt. 1908, 1917 ; *add. cl.* 1944, 1954, 1965, 1976, 1977, 1978, 1979, 1981

Arbuthnot, Colonel G., *Hereford*
Army—Miscellaneous Questions
  Auxiliary Forces—Militia, 1431
  India—Retiring Captains, 742
  Reserve Forces—Pensions and Good Conduct Pay, 1389
Army Estimates—Army Reserve, 1478
  Medical Establishments, 1437, 1443
  Militia, &c. 1445

Army
Miscellaneous Questions
Army Examinations—Riding and Athletics, Question, Observations, Viscount Hardinge *May* 21, 351 ;—*Competitive Examinations for Commissions,* Question, Observations, Earl Fortescue, Lord Hampton ; Reply, Viscount Bury ; Observations, The Marquess of Lansdowne *May* 21, 352 ;—*Physical Competition for the Army,* Question, Sir Ughtred Kay-Shuttleworth ; Answer, Colonel Stanley *June* 17, 1606
  [See title *Army Examinations*]
Army Medical Officers, Question, Mr. Meldon ; Answer, Colonel Stanley *May* 16, 23

Artillery
Rifled Ordnance, Questions, Major O'Beirne ; Answers, Lord Eustace Cecil *May* 24, 626 ; *June* 3, 1075
Siege Guns, Question, Major Nolan ; Answer, Lord Eustace Cecil *May* 23, 496

Colonel Wellesley—Army Pay, Question, Mr. J. Cowen ; Answer, Colonel Stanley *June* 3, 1072
Kaffir War, The—Officers on Special Service, Question, Mr. Hayter ; Answer, Colonel Stanley *June* 13, 1389
Longford Barracks—Cavalry Force, Question, Mr. Errington ; Answer, Colonel Loyd Lindsay *June* 18, 1683
Military and Naval Expenditure, Question, Mr. Rylands ; Answer, The Chancellor of the Exchequer *May* 20, 254
Military Forces Localization Act—The Comptroller and Auditor General's Report, Observations, Sir Alexander Gordon *June* 13, 1416
Regimental Lieutenant Colonels, Question, General Shute ; Answer, Colonel Stanley *May* 16, 26
Retirement—The Order in Council, 1878, Question, Colonel Naghten ; Answer, Colonel Stanley *May* 20, 258
Retiring Captains (India)—Army Circular, 1*st May,* 1878, *cl.* 92, Question, Colonel Arbuthnot ; Answer, Colonel Stanley *May* 27, 742
The Indian Army — The 31*st Native Infantry,* Question, Mr. O'Donnell ; Answer, Mr. E. Stanhope *May* 27, 744

Army—*cont.*
The Indian Service—The European Force, Question, General Sir George Balfour ; Answer, Colonel Stanley *June* 13, 1396
The Medical Service—The New Warrant, Question, Mr. Mitchell Henry ; Answer, Colonel Stanley *June* 20, 1880

Army Examinations—Literary and Physical Competitions
Moved, That an humble address be presented to Her Majesty for Report of the Joint Committee of the War Office and the Civil Service Commissioners appointed to consider the question whether the present literary examinations for the Army should be supplemented by physical competition (*The Lord Hampton*) *June* 7, 1328 ; after short debate, Motion agreed to

Army—The Reserve Forces
Miscellaneous Questions
Families of Reserve Men, Question, Mr. Alderman M'Arthur ; Answer, Colonel Stanley *May* 16, 29
Pensions and Good Conduct Pay, Question, Colonel Arbuthnot ; Answer, Colonel Stanley *June* 13, 1389
Poor Law Relief, Question, Mr. Pell ; Answer, Mr. Sclater-Booth *May* 20, 261

Army Reserve—Allowances to Families of Reserve Men
Moved, That an humble Address be presented to Her Majesty for recent Correspondence between the War Office and Boards of Guardians or members of Boards of Guardians relative to allowances to wives and children of the Army Reserve men who have been called into active service (*The Earl De La Warr*) *May* 16, 5 ; after short debate, Motion withdrawn

Army—The Auxiliary Forces
Miscellaneous Questions
Fines for Drunkenness, Question, Major O'Beirne ; Answer, Colonel Stanley *June* 17, 1605
The Militia Artillery, Question, Lord Waveney ; Answer, Viscount Bury *June* 3, 1061
The Militia Force, Observations, Mr. Hayter ; short debate thereon *June* 13, 1418
The Northampton Militia, Question, Mr. Hayter ; Answer, Colonel Stanley *June* 7, 1344
The Tyrone Fusiliers, Question, Mr. O'Donnell ; Answer, Colonel Stanley *June* 7, 1342 ; short debate thereon *June* 17, 1610
Volunteer Artillery Adjutants, Question, Colonel Makins ; Answer, Colonel Stanley *May* 21, 359
Yeomanry Sergeant Majors, Question, Captain Milne-Home ; Answer, Colonel Stanley *June* 17, 1607

Army—The Auxiliary Forces—The Militia
Moved, That an humble Address be presented to Her Majesty for Return of the number of effectives in the Auxiliary Forces at the beginning of the financial year (*The Lord Stratheden and Campbell*) ; after short debate, Motion withdrawn

[*cont.*

Army—The Military Forces of the Crown
Notice of Amendment to Motion, Sir Michael Hicks-Beach *May* 17, 156
Question, Mr. E. Jenkins; Auswer, The Marquess of Hartington *May* 17, 161
Ordered, That the Orders of the Day be postponed until after the Notice of Motion relating to the Military Forces of the Crown (*Mr. Chancellor of the Exchequer*) *May* 20
Moved, "That, by the Constitution of this Realm, no Forces may be raised or kept by the Crown in time of peace, without the consent of Parliament, within any part of the Dominions of the Crown, excepting only such Forces as may be actually serving within Her Majesty's Indian Possessions" (*The Marquess of Hartington*) *May* 20, 264
Amendt. to leave out from "That," and add "this House, being of opinion that the constitutional control of Parliament over the raising and employment of the Military Forces of the Crown is fully secured by the provisions of the Law, and by the undoubted power of this House to grant or refuse Supplies, considers it to be unnecessary and inexpedient to affirm any Resolution tending to weaken the hands of Her Majesty's Government in the present state of Foreign affairs" (*Sir Michael Hicks-Beach*) *v.*; Question proposed, "That the words, &c.;" after long debate, Debate adjourned
Debate resumed *May* 21, 362; after long debate, Debate further adjourned
Debate resumed *May* 23, 499; after long debate, Question put; A. 226, N. 347; M. 121
Division List, A and N. 610
Words added; main Question, as amended, put, and agreed to

Army—The Military Forces of the Crown —The Indian Contingent
Allowances to Families, Question, Major Nolan; Answer, Mr. E. Stanhope *May* 27, 716
Employment of Indian Troops, Observations, Lord Selborne; Reply, The Lord Chancellor; debate thereon *May* 20, 187
The Indian Contingent, Question, Sir Alexander Gordon; Answer, Mr. E. Stanhope *May* 16, 24; Withdrawal of Notice, Mr. Hussey Vivian *May* 23, 496; Questions, Mr. Waddy, Mr. Fawcett, Mr. Childers, Sir H. Drummond Wolff, Mr. Mundella; Answers, Mr. E. Stanhope, The Chancellor of the Exchequer, Mr. E. Jenkins, Mr. W. H. Smith *May* 24, 623; Question, Mr. Fawcett; Answer, The Chancellor of the Exchequer *May* 27, 745; Question, Mr. Dillwyn; Answer, Mr. Fawcett, 747
The Native Army in India, Question, Mr. Fawcett; Answer, Mr. E. Stanhope *June* 4, 1166

Army—Cost of the Indian Troops
Amendt. on Committee of Supply *May* 27, To leave out from "That," and add "a Select Committee be appointed to inquire into the cost, direct and indirect, of Her Majesty's Indian Troops serving beyond the old Indian limits east of the Cape of Good Hope" (*Sir George Campbell*) *v.*, 748; Question proposed, "That the words, &c.;" after short debate, Question put, and agreed to

Ashley, Hon. A. Evelyn M., *Poole*
Crete, 255

Assheton, Mr. R., *Clitheroe*
Aberdeen District Tramways, 3R. 1583
Parliament—Derby Day—Adjournment of the House, 1076, 1177
Supply—County Prisons, &c. (Great Britain), 1010
Women's Disabilities Removal, 2R. 1865

Attorney General, The (Sir J. Holker), *Preston*
Criminal Code (Indictable Offences), 2R. 1672, 1881
Military Forces of the Crown, Res. 369, 400, 437
Parliament—Business of the House, 932
Franchise of the Reserve Men, 623
Russia—Purchase and Equipment of Privateers, 357
Supply—Chancery Division of the High Court of Justice, &c. 952, 957, 960
County Courts, 976
Land Registry, 981

Balfour, Major-General Sir G., *Kincardineshire*
Army—Auxiliary Forces—Militia, 1425
Indian Service, 1390
Army Estimates—Medical Establishments and Services, 1438
Charity Commission—North Sunderland Harbour, 1607
Roads and Bridges (Scotland), Comm. *cl.* 24, 1686; *cl.* 29, 1690, 1692; *cl.* 30, 1695; *cl.* 36, 1703, 1709; *cl.* 38, 1711; *cl.* 41, 1714; *cl.* 45, 1730; *cl.* 98, 1903; *cl.* 102, 1905; *cl.* 103, *ib.*, 1906
Supply—Criminal Prosecutions—Sheriffs' Expenses, &c. 944
London Bankruptcy Court, 972

Balfour, Mr. A. J., *Hertford*
Military Forces of the Crown, Res. 407

Balfour of Burleigh, Lord
Factories and Workshops, 3R. 4

Barclay, Mr. J. W., *Forfarshire*
Harbours (Scotland), 167
Probate, Legacy, and Succession Duties, Res. 627
Roads and Bridges (Scotland), Comm. *cl.* 12, 1183, 1184, 1185; Amendt. 1186, 1188, 1189, 1191, 1192, 1194; *cl.* 15, Amendt. 1197, 1198, 1200, 1202, 1204; *cl.* 16, 1205; Amendt. 1207; *cl.* 17, 1211; *cl.* 19, 1215; *cl.* 29, 1691; *cl.* 30, Amendt. 1694, 1695; *cl.* 32, Amendt. *ib.*, 1698, 1699; *cl.* 35, Amendt. 1700; *cl.* 36, Amendt. *ib.*, 1701, 1702, 1704, 1706, 1707, 1708, 1709; *cl.* 37, 1710; *cl.* 38, *ib.*, 1712; *cl.* 41,

[*cont.*

BARCLAY, Mr. J. W.—cont.
1717; *cl.* 45, 1727; *cl.* 49, Amendt. 1732, 1734; *cl.* 55, Amendt. 1736, 1737; *cl.* 56, Amendt. 1738; *cl.* 57, Amendt. *ib.*; *cl.* 63, Amendt. 1889; *cl.* 64, Amendt. 1890; *cl.* 85, Amendt. 1893, 1897; *cl.* 96, Amendt. 1900; *cl.* 97, Amendt. 1901; *cl.* 98, Amendt. 1902, 1903, 1904; *cl.* 104, 1907; *cl.* 105, 1911; Postponed *cl.* 54, 1920, 1925, 1939; *add. cl.* 1955, 1967, 1973, 1981, 1983, 1988, 1990
Supply—Fishery Board, Scotland, Amendt. 682
Local Taxation in Scotland, &c., Motion for reporting Progress, 816, 817
Lunacy Commission, Scotland, 812, 813
Police, Counties and Boroughs (Great Britain), 997, 1000
Queen's and Lord Treasurer's Remembrancer, 673, 681
Secret Services, 663
Under Secretaries of State, 2R. 824

BARING, Mr. T. C., *Essex, S.*
Galtee Estate, Motion for a Select Committee, 1548
Roads and Bridges (Scotland), Comm. *add. cl.* 1968
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 1023
Supply—Stationery Office, 81

BARRAN, Mr. Alderman J., *Leeds*
Locomotive Accident near Leeds, 257

BARTTELOT, Colonel Sir W. B., *Sussex, W.*
Aberdeen District Tramways, 3R. Amendt. 1574, 1581
Army—Auxiliary Forces—Militia, 1421
Army Estimates—Volunteer Corps, 1457, 1458
Cotton Manufactories—Riots in Lancashire, 33, 159
Highways, Comm. 1345
Inclosure Provisional Order (Llanfair Waterdine), 2R. 1319
Inclosure Provisional Order (Orford), 2R. 1349
"Nineteenth Century"—Article on Liberty in the East and West (Mr. Gladstone)—Mr. Hanbury's Motion, 1616
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 907
Supply—County Prisons, &c. (Great Britain), 1008
Science and Art Department Buildings, 1380
Survey of the United Kingdom, 1375
Tramways Orders Confirmation, Comm. 1316
Valuation of Property, 2R. 1317; Comm. 1506

BATES, Mr. E., *Plymouth*
Aberdeen District Tramways, 3R. 1589
Navy—H.M.S. "Eurydice," 1251

BATH, Marquess of
Public Health Act (1875) Amendment, Comm. *cl.* 2, 1160; *cl.* 4, *ib.*

BAXTER, Right Hon. W. E., *Montrose, &c.*
Customs Department — Appointment of Sir Charles Du Cane, 1887
Ecclesiastical Salaries (India), 27
Probate, Legacy, and Succession Duties, Res 634
Religious Denominations (Scotland), Motion for a Select Committee, 1774, 1793

BEACH, Right Hon. Sir M. E. HICKS- (Secretary of State for the Colonies), *Gloucestershire, E.*
Dominion of Canada — Canada Temperance Bill, 833
Malta, 263
Military Forces of the Crown—Indian Contingent, 156; Res. Amendt. 280, 284, 291, 328
Perak, 1355
South Africa, 258
The Cape — Telegraphic Communication, 928
Supply—Colonial Local Revenue, 1291, 1299, 1304

BEACONSFIELD, Earl of (First Lord of the Treasury)
Army Reserve — Allowances to Families of Reserve Men, Address for Correspondence, 10
Earl Russell, The Late, 1034
Eastern Question — Congress — Ministerial Statement, 1058
Military Forces of the Crown—Employment of Indian Troops, 247, 248
Parliament—Whitsuntide Recess, 615

"Beagle," H.M.S. — Execution of a Native of Tanna—Judicial Powers of Naval Commanders
Questions, Mr. Gorst, Mr. Childers; Answers, Mr. W. H. Smith *May* 16, 35; Question, Dr. Kenealy; Answer, Mr. W. H. Smith *May* 24, 621; Question, Sir Charles W. Dilke; Answer, Mr. Bourke *May* 27, 740; Question, Mr. Gorst; Answer, Mr. W. H. Smith *June* 6, 1254

BEAUMONT, Colonel F. E. B., *Durham, S.*
Aberdeen District Tramways, 3R. 1581
Tramways—Mechanical Power, 1606

Belfast Street Tramways Bill (by Order)
c. Read 3°* *June* 17

BELMORE, Earl of
Acknowledgment of Deeds by Married Women (Ireland), 2R. 618

BENETT-STANFORD, Mr. V. F., *Shaftesbury*
Diplomatic Appointments—Hon. Colonel Wellesley, Military Attaché, 31; Res. 169, 177, 183
Post Office—Newspaper Registration, 1339
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 905
Supply—Embassies and Missions Abroad, 1279

Beresford, Lord C. W. D., *Waterford Co.*
  Endowed Schools (Ireland), Motion for a Select Committee, Amendt. 1228
  Waterford, Dungarvan, and Lismore Railway (Extension), 2R. 154

Biggar, Mr. J. G., *Cavan Co.*
  Aberdeen District Tramways, 3R. 1601
  Acknowledgment of Deeds by Married Women (Ireland), 3R. 122, 123
  Army—Auxiliary Forces—Militia, 1431
  Army Estimates—Medical Establishments and Services, 1439
    Volunteer Corps, Amendt. 1472
    Yeomanry Cavalry, 1448
  Criminal Code (Indictable Offences), 2R. 1672
  Dover and Calais Mail Contract, Res. 1237
  Dublin, Wicklow, and Wexford Railway, 2R. 19
  Irish Estimates, 1664, 1665
  Parliament—Miscellaneous Questions
    Business of the House, 841
    Derby Day—Adjournment of the House, 1182
    Privileges of Members, 655
  Rating of Towns (Ireland), 2R. 470
  Roads and Bridges (Scotland), Comm. *add. cl.* 1961
  Street Traffic—Military Bandsmen, 21
  Supply—Admiralty Registry of the High Court of Justice, 972
    Chancery Division of the High Court of Justice, &c. 962, 964, 966
    Land Registry, 989
    Law Charges, 941
    Police Courts of London and Sheerness, 994
    Queen's and Lord Treasurer's Remembrancer, 668, 673; Amendt. 674, 675, 676
    Queen's Bench, &c. 969
    Report, 1153, 1154
    Secret Services, 666
    Stationery Office, 47, 62, 65, 73, 80
    Woods, Forests, &c. Office, 90
    Works and Public Buildings, 93
  Valuation of Property, Comm. 1527
  Waterford, Dungarvan, and Lismore Railway (Extension), 2R. 150
  Weights and Measures, Comm. 1674

Bills of Sale Bill (*The Lord Selborne*)
l. Read 2ª *May* 28, 827 (No. 80)

Bishoprics Bill (*Mr. Secretary Cross*)
c. Read 1° * *May* 29 [Bill 197]

Blackburn and Over Darwen Tramways Bill (*by Order*)
c. Read 3° * *June* 17

Blake, Mr. T., *Leominster*
  Parliament—Derby Day—Adjournment of the House, 1181

Blennerhassett, Mr. R. P., *Kerry*
  University Education (Ireland), Res. 1048, 1085
  Women's Disabilities Removal, 2R. 1838

Board of Works—Report of the Commission
  Question, Mr. Gray; Answer, Sir Henry Selwin-Ibbetson *June* 20, 1882

Borneo
  The British Borneo Company, Question, Mr. Ernest Noel; Answer, The Chancellor of the Exchequer *May* 21, 358
  The Consular Agent at Sindak, Question, Sir Charles W. Dilke; Answer, Mr. Bourke *June* 20, 1881

Boston District Tramways Bill (*by Order*)
c. Read 3° * *June* 17

Bourke, Hon. R. (Under Secretary of State for Foreign Affairs), *Lynn Regis*
  British Borneo Company—Consul at Sindak, 1882
  Eastern Question—Congress—Armenians, 1168
    Ministerial Statement, 1078
  Foreign Office Reports, 1340
  German Emperor, 1169
  Navy—H.M.S. "Beagle"—Execution of a Native of Tanna—Judicial Powers of Naval Commanders, 740
  Persia—Visit of the Shah, 928
  South America—British Cemetery at Monte Video, 1886
  Spain—"Octavia" and the "Lark," 1884
  Supply—Consular Services, 1288, 1289
    Embassies and Missions Abroad, 1274, 1279, 1280, 1281
  Turkey—Murder of Mr. Ogle, 1083, 1613

Bowyer, Sir G., *Wexford Co.*
  Dublin, Wicklow, and Wexford Railway, 2R. 15
  Eastern Question—Policy of the Government—Indian Contingent, 776
  Endowed Schools (Ireland), Motion for a Select Committee, 1230
  Malta, 263
  Martin, Mr. Wykeham, Death of, Motion for Adjournment, 1051, 1052
  Parliament—Privileges of Members, 655
  Supply—Queen's and Lord Treasurer's Remembrancer, 670
    Science and Art Department Buildings, 1380

Brady, Dr. J., *Leitrim Co.*
  Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 902
  Supply—Queen's and Lord Treasurer's Remembrancer, 680

Brand, Right Hon. H. B. W., (*see* Speaker, The)

Brassey, Mr. T., *Hastings*
  Post Office—Letter Carriers, 1165

Bright, Mr. J., *Manchester*
Eastern Question—Policy of the Government—Indian Contingent, 786
Prisoners, Treatment of, 1682

Brise, Colonel S. B. Ruggles-, *Essex, E.*
Valuation of Property, Comm. 1623

Bristowe, Mr. S. B., *Newark*
Supply—Pauper Lunatics, England, 1311

Brooks, Mr. M., *Dublin*
Collection of Rates (Dublin), 1167; Leave, 1676
Dublin, Wicklow, and Wexford Railway, 2R. Amendt. 12, 21
Ireland—Collector of Rates Office, Dublin—The Report, 627

Brown, Mr. A. H., *Wenlock*
Poor Law—Eliza Littlehales, Case of, 1885

Bruen, Mr. H., *Carlow Co.*
Rating of Towns (Ireland), 2R. 456, 459
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 900
Supply—Fishery Board in Scotland, 686

Bulwer, Mr. J. R., *Ipswich*
Supply—Chancery Division of the High Court of Justice, &c. 959

Bury, Viscount (Under Secretary of State for War)
Army—Auxiliary Forces—Militia Artillery, 1061
Army—Auxiliary Forces—Militia, Motion for a Return, 830
Army—Competitive Examinations for Commissions, 355
Army Examinations—Literary and Physical Competitions, Address for a Paper, 1329
Army Reserve—Allowances to Families of Reserve Men, Address for Correspondence, 7
Forces of the Crown in Ireland, Motion for a Return, 1338

Butt, Mr. I., *Limerick City*
Lunatic Asylums (Ireland)—The Governor of Limerick Asylum, 640
Parliament—Business of the House, 930

Cairns, Lord (*see* Chancellor, The Lord)

Cambridge, Duke of (Field Marshal Commanding-in-Chief)
Army Examinations—Literary and Physical Competitions, Address for a Paper, 1332
Army Reserve—Allowances to Families of Reserve Men, Address for Correspondence, 9

Cameron, Dr. C., *Glasgow*
Parliament—Scotch Business of the House, 25
Roads and Bridges (Scotland), Comm. *cl.* 24, 1215; Amendt. 1685; *cl.* 36, 1701; Amendt. 1702, 1706, 1707; *cl.* 41, 1719; *cl.* 104, 1908; *add. cl.* 1953, 1960, 1964; Amendt. 1966, 1967, 1968, 1969, 1971, 1977, 1978, 1981, 1989
Supply—Queen's and Lord Treasurer's Remembrancer, 670, 672, 680
  Reformatory, Industrial, &c. Schools, 1015

Cameron, Mr. D., *Inverness-shire*
Roads and Bridges (Scotland), Comm. *cl.* 85, 1894, 1896

Campbell, Lord
Army—Auxiliary Forces—The Militia, Motion for a Return, 828, 831

Campbell, Sir G., *Kirkcaldy, &c.*
Army Supplementary Estimate for Native Indian Troops, 804
India—Vernacular Press Act—The Press Commissioner, 1071
Indian Troops, Cost of, Motion for a Select Committee, 748, 762
Military Forces of the Crown, Res. 410
Navy Supplementary Estimate—Transport of Native Indian Troops, 809
Parliament—Derby Day—Adjournment, 1171
Roads and Bridges (Scotland), 1083; Comm. *cl.* 12, 1187, 1191, 1194; *cl.* 15, 1201; *cl.* 16, 1205; *cl.* 29, 1694; *cl.* 33, 1697, 1698; *cl.* 35, 1705, 1706; *cl.* 41, 1714, 1715, 1718, 1719; *cl.* 45, 1726, 1731; *cl.* 85, 1899; *cl.* 98, 1903; *cl.* 102, 1905; *cl.* 104, 1908; *cl.* 105, 1915, 1917, 1918; *add. cl.* 1969, 1973, 1976, 1981
Scotland—Church of Scotland—Opening of General Assembly, 927
  Harbours, 168
  Office of Lord Clerk Register, 1883
Scotland—Religious Denominations (Scotland), Motion for a Select Committee, 1796, 1797
Straits Settlements—Perak, 1354;—Expedition—Pay of the Indian Troops, 1390
Supply—Fishery Board, Scotland, 684, 689
Valuation of Property, Comm. 1657

Campbell-Bannerman, Mr. H., *Stirling, &c.*
Army—Auxiliary Forces—Militia, 1423
Army Estimates—Militia, &c. 1444
Endowed Schools and Hospitals (Scotland), 2R. 1154
Roads and Bridges (Scotland), Comm. *cl.* 24, 1688; *cl.* 33, 1697; *cl.* 36, 1705; *cl.* 57, 1738; *add. cl.* 1972, 1990

Canada, Dominion of—Canada Temperance Bill
Question, Sir Alexander Gordon; Answer, Sir Michael Hicks-Beach *May* 28, 833

Canterbury, Archbishop of
- Army Reserve—Allowances to Families of Reserve Men, Address for Correspondence, 8

Cardwell, Viscount
- Army Examinations—Literary and Physical Competitions, Address for a Paper, 1332
- Army Reserve—Allowances to Families of Reserve Men, Address for Correspondence, 9
- Contagious Diseases (Animals), Comm. *cl.* 33, 734
- Eastern Question—Congress, Negotiations for, 721
- Military Forces of the Crown—Employment of Indian Troops, 237, 238

Carnarvon, Earl of
- Eastern Question — Congress — Armenians, 1244

Cave, Right Hon. S. (Paymaster General), *New Shoreham*
- Inclosure Provisional Order (Orford), Comm. 1658

Cave, Mr. T., *Barnstaple*
- Supply—Stationery Office, 60, 75, 76

Cavendish, Lord F. C., *Yorkshire, W.R., N. Div.*
- Supply—Admiralty Registry of the High Court of Justice, 971
  - Criminal Prosecutions—Sheriffs' Expenses, &c. 945, 949
  - Queen's Bench, &c. 968
  - Reformatory, Industrial, &c. Schools, 1016

Cecil, Lord E. H. B. G. (Surveyor General of Ordnance), *Essex, W.*
- Army—Rifled Ordnance, 626, 1075
  - Siege Guns, 496

Chamberlain, Mr. J., *Birmingham*
- Endowed Schools (Ireland), Motion for a Select Committee, 1224

Chancellor, The **Lord** (Lord **Cairns**)
- Acknowledgment of Deeds by Married Women (Ireland), 2R. 619
- Bills of Sale, 2R. 827
- Forces of the Crown in Ireland, Motion for a Return, 1333
- Military Forces of the Crown—Employment of Indian Troops, 211, 216, 217, 218, 226, 238
- Telegraphs, 2R. 1034

Chancellor of the **Exchequer** (Right Hon. Sir S. H. **Northcote**), *Devon, N.*
- Aberdeen District Tramways, 3R. 1595
- Admiralty and War Office (Retirement of Officers), 2R. 1314
- Borneo, 358
- China—Chefoo Convention, 260
- Contagious Diseases (Animals), 1254, 1494
- Corrupt Practices Acts, 1340

[cont.

Chancellor of the **Exchequer**—*cont.*
- Crete, 255
- Currency—Small Silver Coinage, 1683
- Dental Practitioners, Comm. *cl.* 22, 1321, 1322
- Diplomatic Appointments — Hon. Colonel Wellesley, Military Attaché, 31; Res. 182, 183
- Earl Russell, The Late, 1084
- Eastern Question—Miscellaneous Questions
  - Agreement between England and Russia, 1494, 1614
  - Congress, 748
  - Correspondence, 1252
  - English Representatives, 1167
  - Greece, Representation of, 1082, 1168
  - Ministerial Statement, 1076, 1081
  - Policy of the Government—Indian Contingent, 774, 798
- Education (Scotland), 746
- Estimates, Discussions on the, 936
- Evangelical Dissenters in Russia, 260
- German Emperor, Attempted Assassination of, 1169, 1256
- Inclosure Provisional Order (Llanfair Waterdine), 2R. 1319
- Inclosure Provisional Order (Orford), 2R. 1350, 1352
- Ireland—Cashel and Sligo, Disfranchisement of, 1883
- Irish Estimates, 1663
- Land Taxation, Res. 1357
- Madagascar, 261
- Martin, Mr. Wykeham, Death of, 1052
- Military and Naval Expenditure, 254
- Military Forces of the Crown—Indian Contingent, 624, 625, 745
- Military Forces of the Crown, Res. 336, 347, 390, 554, 585
- Paris Exhibition, 1878—Assistance to English Artizans, 28
- Parliament—Miscellaneous Questions
  - Business of the House, 361, 498, 835, 836, 837, 931, 1074, 1075, 1257, 1343, 1567, 1615, 1888
  - Derby Day—Adjournment of the House, 1076, 1179
  - Morning Sittings, 1684
  - Privileges of Members, 652
  - Public Petitions—Indian Press Law, 1682
  - Scotch Business of the House, 26
  - Whitsuntide Recess, 498, 620, 1344
- Parliamentary Reporting, Motion for a Select Committee, 853; Nomination of Select Committee, 1677, 1679
- Post Office—Post Office Savings Banks, 1881
- Queen's Colleges (Ireland)—The Estimates, 1612
- Roads and Bridges (Scotland), 1075
- Sale of Intoxicating Liquors on Sunday (Ireland), 32; Comm. *cl.* 1, 112; *add. cl.* 1026
- Supply—Local Taxation in Scotland, &c. 818
  - Police Courts of London and Sheerness, 990, 991, 996
  - Public Buildings, 1369
  - Stationery Office, 45, 73, 79
- Treaties of 1856 and 1871, Res. 1413
- Turkey—Murder of Mr. Ogle, 25, 1566, 1612
- Turkish Loan of 1855, 929, 930
- United States—Treaty of Washington—22nd Article—Award of the Fisheries Commissioners, 1492

[cont.

CHANCELLOR of the EXCHEQUER—*cont.*
  Valuation of Property, Comm. 1516, 1655
  Ways and Means—Customs Department—Sir Charles Du Cane, Appointment of, 1887
    Inland Revenue—Brewers' Licence Tax, 1341
  Weights and Measures, Comm. 1673, 1674

CHAPLIN, Mr. H., *Lincolnshire, Mid.*
  Military Forces of the Crown, Res. 324
  Parliament—Business of the House, 840
    Derby Day—Adjournment of the House, 1075, 1076, 1171

CHARLEY, Mr. W. T., *Salford*
  Parliamentary and Municipal Registration (Consolidated), Comm. *cl.* 22, Motion for reporting Progress, 1322
  Tenant Right (Ireland), Comm. *cl.* 2, Amendt. 1325, 1326

Chester Tramways Bill
c. Ordered, That the Chairman of the Select Committee on Standing Orders be appointed Chairman of the Committee on the Chester Tramways Bill (*The Chairman of Ways and Means*) *May* 16

CHILDERS, Right Hon. H. C. E., *Pontefract*
  Contagious Diseases Acts Repeal, 2R. 475
  Indian Troops, Cost of, Motion for a Select Committee, 761
  Military Forces of the Crown—Indian Contingent, 625
  Military Forces of the Crown, Res. 431, 437
  Navy—H.M.S. "Beagle"—Execution of a Native of Tanna—Judicial Powers of Naval Commanders, 35
  Supply—Chancery Division of the High Court of Justice, &c. 953, 957, 958, 963
    Criminal Prosecutions—Sheriffs' Expenses, &c. 947, 951

China—The Chefoo Convention
  Question, Mr. Alderman W. M'Arthur; Answer, The Chancellor of the Exchequer *May* 20, 260

CHURCHILL, Lord R., *Woodstock*
  Endowed Schools (Ireland), Motion for a Select Committee, 1216, 1236

Church of England—The Preachers in St. Paul's
  Questions, Observations, The Earl of Harrowby; Reply, The Bishop of London *May* 17, 126; *May* 23, 491

Clare Slob Land Reclamation Bill (*by Order*)
c. Read 3° * *May* 20

Coal Mines
  Eddlewood Colliery Explosion, Question, Mr. Macdonald; Answer, Mr. Assheton Cross *May* 17, 159
  The Blantyre Colliery Explosion, Question, Mr. Macdonald; Answer, The Lord Advocate *May* 16, 28
  The Haydock Colliery Accident, Question, Mr. Macdonald; Answer, Mr. Assheton Cross *June* 20, 1880

COBBOLD, Mr. T. C., *Ipswich*
  Supply—Embassies and Missions Abroad, 1268

COCHRANE, Mr. A. D. W. R. Baillie- *Isle of Wight*
  Diplomatic Appointments—Colonel Wellesley, Military Attaché, Res. 186
  Eastern Question—Policy of the Government—Indian Contingent, 779
  Foreign Office Reports, 1339
  Roads and Bridges (Scotland), Comm. *cl.* 17, 1209, 1213, 1214
  Supply—Consular Services, 1285
    Embassies and Missions Abroad, 1267
    Public Buildings, 1361, 1363, 1368

COGAN, Right Hon. W. H. F., *Kildare*
  Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 8, 719

COLE, Mr. H. T., *Penryn, &c.*
  Franchise—Manufacture of Faggot Votes, 1879, 1880
  Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 8, 719

COLEBROOKE, Sir T. E., *Lanarkshire, N.*
  Endowed Schools and Hospitals (Scotland), 2R. 1154
  Indian Troops, Motion for a Select Committee, 759
  Roads and Bridges (Scotland), Comm. *cl.* 12, 1187; *cl.* 16, 1206; *cl.* 17, 1209, 1210, 1214; *cl.* 36, 1703, 1709; *cl.* 41, 1715; *cl.* 45, 1729; *cl.* 54, 1736; *cl.* 85, 1898; *cl.* 105, 1916; *cl.* 106, Amendt. 1919; Postponed *cl.* 54, 1922; Amendt. 1923, 1924, 1928, 1938, 1939; *add. cl.* 1946, 1965, 1966; Amendt. 1970, 1971, 1977, 1978, 1982

Collection of Rates (Dublin) Bill
(*Mr. James Lowther, Mr. Attorney General for Ireland*)
c. Motion for Leave (*Mr. James Lowther*) *June* 17, 1675; after short debate, Question put, and agreed to; Bill ordered; read 1° * [Bill 220]

COLLINS, Mr. E., *Kinsale*
  Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 878, 890

Commutation of Tithes Bill (*Mr. Cubitt, Mr. Arthur Vivian, Mr. Monk, Mr. Rodwell*)
c. Ordered; read 1° * *June* 19 [Bill 222]

Companies (Foreign Shareholders) Bill (*Sir John Lubbock, Sir Andrew Lusk, Sir Charles Mills, Mr. Charles Praed*)
c. Bill withdrawn * *May* 30 [Bill 118]

Consecration of Churchyards Act (1867) Amendment Bill (*Mr. Monk, Mr. Forsyth*)
c. Read 2° * *May* 27 [Bill 176]

Conservancy Boards—Floods Prevention
Question, Observations, The Marquess of Ripon; Reply, The Duke of Richmond and Gordon *June* 4, 1162

Consolidated Fund (No. 3) Bill (*Mr. Raikes, Mr. Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson*)
c. Resolutions [May 23] reported, and agreed to; Bill ordered to be brought in upon the Fourth Resolution; read 1° * *May* 24
Read 2° * *May* 27
Committee *; Report *May* 30
Considered * *June* 3
Read 3° * *June* 4
l. Read 1ª * (*Earl of Beaconsfield*) *June* 4
Read 2ª *; Committee negatived *June* 6
Read 3ª * *June* 7
Royal Assent *June* 17 [41 *Vict.* c. 21]

Contagious Diseases Acts Repeal Bill (*Sir Harcourt Johnstone, Mr. Stansfeld, Mr. Whitbread, Mr. Mundella*) [Bill 59]
c. Order for 2R. read *May* 22, 474
After short debate, Notice being taken, That Strangers were present (*Mr. Arthur Moore*)
Mr. Speaker stated, that it was his intention to follow the course which he had previously taken on similar occasions, and forthwith put the Question, "That Strangers be ordered to withdraw?" The House proceeded to a Division, whereupon Mr. Speaker called upon Mr. Moore to name a second Teller for the Ayes.—The hon. Member having stated that he was unable to do so, Mr. Speaker declared that the Noes had it
Moved, "That the Bill be now read 2°;" after short debate, Debate adjourned

Contagious Diseases (Animals) Bill [H.L.] (*The Lord President*)
l. Observations, The Duke of Somerset; Reply, The Duke of Richmond and Gordon; short debate thereon *May* 17, 125
Committee (*on re-comm.*) *May* 21, 350 (No. 76)
Committee (*on Second re-comm.*) *May* 27, 722
Report *May* 28, 827 (No. 88)
Read 3ª * *May* 31
c. Read 1° * (*Sir Henry Selwin-Ibbetson*) *June* 3 [Bill 204]
Question, Sir George Jenkinson; Answer, The Chancellor of the Exchequer *June* 6, 1253; Question, Mr. J. Cowen; Answer, The Chancellor of the Exchequer *June* 14, 1494

Conway Bridge (Composition of Debt) Bill (*Sir Henry Selwin-Ibbetson, Mr. Gerard Noel*)
c. Read 2°, after debate *May* 27, 820 [Bill 150]
Committee *; Report *May* 30
Considered * *June* 3
Read 3° * *June* 6
l. Read 1ª * (*Lord President*) *June* 7 (No. 111)

Corrib (Galway) River Bill [H.L.] (*The Lord President*)
l. Presented; read 1ª *, and referred to the Examiners *June* 17 (No. 113)

Corrib (Galway) River Bill (*Sir Henry Selwin-Ibbetson, Mr. James Lowther*)
c. Ordered; read 1° * *June* 20 [Bill 225]

Corry, Mr. J. P., *Belfast*
Local Courts of Bankruptcy (Ireland), 1608

Cotton Manufactories, The
The Wages Dispute—Riots in Lancashire, Questions, Sir Walter B. Barttelot, Mr. Dodds; Answers, Mr. Assheton Cross; Notice of Question, Major O'Gorman *May* 16, 33; Question, Sir Walter B. Barttelot; Answer, Mr. Assheton Cross *May* 17, 159
Sheffield Magistrates, Questions, Mr. Macdonald; Answers, Mr. Assheton Cross *May* 27, 746

County Government Bill—Management of Rivers
Question, Mr. Arthur Peel; Answer, Mr. Sclater-Booth *May* 16, 30

County Infirmaries, &c. (Ireland) Bill (*Mr. Meldon, Mr. Shaw, Mr. Errington*)
c. Moved, "That the Order for 2R. be postponed to the 19th June" *May* 29, 858
Moved, "That the Order be discharged" (*Mr. O'Sullivan*); after short debate, Amendt. withdrawn; 2R. deferred till Wednesday, 19th June

County of Hertford and Liberty of Saint Alban Act (1874) Amendment Bill (*Mr. Abel Smith, Mr. Cowper, Mr. Halsey*)
c. Ordered; read 1° * *June* 3 [Bill 203]

Courtney, Mr. L. H., *Liskeard*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 6, 712
Women's Disabilities Removal, 2R. 1800, 1817, 1819, 1869

Cowen, Mr. J., *Newcastle-on-Tyne*
Army—Colonel Wellesley, 1072
Contagious Diseases (Animals), 1494
Supply—Admiralty Registry of the High Court of Justice, 970
  County Courts, 973, 979
  Queen's and Lord Treasurer's Remembrancer, 675
  Science and Art Department Buildings, 1380
  Stationery Office, 66, 78
Valuation of Property, 2R. 1318 ; Comm. 1518

Cowper, Earl
Conservancy Boards, 1163
Public Health Act (1875) Amendment, Comm. 1156

Criminal Code (Indictable Offences) Bill
(*Mr. Attorney General, Mr. Solicitor General, Mr. Secretary Cross*)
c. Read 2°, after debate *June* 17, 1671 [Bill 178]
Question, Mr. B. T. Williams ; Answer, The Attorney General *June* 20, 1881

Criminal Law
Miscellaneous Questions
Case of John Hennafan, Question, Dr. Kenealy ; Answer, Mr. Assheton Cross *May* 24, 621
Case of Thomas Griffiths, Question, Mr. P. A. Taylor ; Answer, Mr. Assheton Cross *May* 28, 832
Charge of Arson — Northwick Magistrates, Question, Mr. Isaac ; Answer, Mr. Assheton Cross *May* 20, 255
Release of George Broomfield, a Lunatic Convict, Question, Dr. Kenealy ; Answer, Mr. Assheton Cross *May* 17, 157
The Rev. Mr. Dodwell, a Lunatic, Question, Dr. Kenealy ; Answer, Mr. Assheton Cross *May* 24, 622

Cross, Right Hon. R. A. (Secretary of State for the Home Department), *Lancashire, S.W.*
Church of Scotland—Opening of the General Assembly, 927
Coal Mines—Eddlewood Colliery Explosion, 159
Cotton Manufactories—Riots in Lancashire, 33, 160 ;—Sheffield Magistrates, 747
Criminal Code (Indictable Offences), 2R. 1673
Criminal Law—Miscellaneous Questions
  Arson, Charge of, 256
  Dodwell, Rev. Mr., Case of, 622
  George Broomfield, Release of, 158
  John Hennafan, Case of, 621
  Thomas Griffiths, Case of, 832
Franchise—Manufacture of Faggot Votes, 1879
Gray's Inn Road, 259
Grocers' Licences in Scotland, 261
Inclosure Provisional Order (Llanfair Waterdine), 2R. 1318
Inclosure Provisional Order (Orford), 2R. 1349
Inland Revenue—Out-door Licences, 1885
[*cont.*

Cross, Right Hon. R. A.—*cont.*
Law and Justice—Miscellaneous Questions
  Assizes and Quarter Sessions, 1605
  Grantham County Court—Case of Margaret Carroll, 833
  High Court of Justice, 1072
  Imprisonment for Debt, 1353
  Northern Circuit—Assizes, 38
  Police Magistracy—Mr. Benson, 157
Locomotive Accident near Leeds, 257
Lunatic Asylums—Post-Mortem Examinations, 742
Metropolis—Coffee Stalls in the Streets, 1878
Military Forces of the Crown, Res. Motion for Adjournment, 438, 499, 511, 512, 542, 574, 581
Mines Regulation Act, 1872—Haydock Colliery Accident, 1880
Parliament—Members for the Scottish Universities—Expenses of Election, 740
  Privileges of Members, 656
Parochial Charities of the City of London—Commission, 926
Prisoners, Treatment of, 1682, 1683
Religious Denominations (Scotland), Motion for a Select Committee, 1790, 1793
Roads and Bridges (Scotland), 1083 ; Comm. *cl.* 16, 1206 ; *cl.* 36, 1701, 1702 ; *cl.* 41, 1718 ; *cl.* 45, 1730 ; *cl.* 54, 1736 ; *cl.* 57, 1738 ; Postponed *cl.* 54, 1923, 1935 ; *add. cl.* 1959, 1960, 1969, 1988
Sale of Food and Drugs Act, 1875—Violet Powder, 1072
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 6, 446 ; *cl.* 8, 717, 718, 719
Scotland—Office of Lord Clerk Register, 1883
Solway Commissioners, 262
Supply—Broadmoor Criminal Lunatic Asylum, 1019
  Convict Establishments, 1004, 1007
  County Prisons, &c. (Great Britain), 1010, 1012
  Police Counties and Boroughs (Great Britain), 999
  Police Courts in London and Sheerness, 995
Under Secretaries of State, 2R. 822, 823, 824

Cuninghame, Sir W. J. M., *Ayr, &c.*
Roads and Bridges (Scotland), Comm. *cl.* 12, 1190, 1194, 1195 ; *cl.* 15, 1201 ; *cl.* 36, 1703 ; *cl.* 49, Amendt. 1734 ; Postponed *cl.* 54, 1936 ; *add. cl.* 1976

Currency, The—Small Silver Coinage
Question, Mr. Serjeant Simon ; Answer, The Chancellor of the Exchequer *June* 18, 1683

Customs and Inland Revenue Bill
(*Earl of Beaconsfield*)
l. Read 2ª* *May* 16
Committee* ; Report *May* 17
Read 3ª* *May* 20
Royal Assent *May* 27 [41 *Vict.* c. 15]

Dalrymple, Mr. C., *Buteshire*
Irish Estimates, 1665
Religious Denominations (Scotland), Motion for a Select Committee, 1764
Roads and Bridges (Scotland), Comm. *cl.* 12, 1191 ; *cl.* 98, 1903 ; Postponed *cl.* 54, 1936
Under Secretaries of State, 2R. 823

Davenport, Mr. W. Bromley-, *Warwickshire, N.*
- Military Forces of the Crown, Res. 600

Davies, Mr. D., *Cardigan*
- Supply—Chancery Division of the High Court of Justice, &c. 960
  - Criminal Prosecutions—Sheriffs' Expenses, &c. 945, 948

Delahunty, Mr. J., *Waterford Co.*
- Aberdeen District Tramways, 3R. 1598; Motion for Adjournment, 1600
- Waterford, Dungarvan, and Lismore Railway (Extension), 2R. Amendt. 129, 156

De La Warr, Earl
- Army Reserve—Allowances to Families of Reserve Men, Address for Correspondence, 5
- Eastern Question—Congress—Treaty of San Stefano, 1247
- German Navy—"Der Grosser Kurfürst," Destruction of, 1033
- Navy—H.M.S. "Eurydice," Foundering of, 349, 1155
- Public Health Act (1875) Amendment, Comm. Amendt. 1156

Denison, Mr. C. Beckett-, *Yorkshire, W.R., E. Div.*
- Indian Troops, Cost of, Motion for a Select Committee, 755
- Navy Supplementary Estimate—Transport of Native Indian Troops, 806

Denison, Mr. W. Beckett-, *East Retford*
- Contracts for Watering the Streets, 257

Denman, Lord
- Military Forces of the Crown—Employment of Indian Troops, 243

Dental Practitioners Bill

(*Sir John Lubbock, Sir Philip Egerton, Mr. Gregory, Dr. Lush*)

c. Committee (*on re-comm.*); Report *June* 6, 1319
Read 3º* *June* 13 [Bill 177]
l. Read 1ª* (*Marquess of Lansdowne*) *June* 17 (No. 123)

Dickson, Mr. T. A., *Dungannon*
- Dover and Calais Mail Contract, Res. 1237
- Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 1031

Dilke, Sir C. W., *Chelsea, &c.*
- Admiralty and War Office (Retirement of Officers), 2R. 1314
- British Borneo Company—Consul at Sindak, 1881
- Dental Practitioners, Comm. *cl.* 22, 1321
- Eastern Question—Congress—Representation of Greece, 1082, 1168
- Inclosure Provisional Order (Llanfair Waterdine), 2R. Motion for Adjournment, 1318

[*cont.*

Dilke, Sir C. W.—*cont.*
- Inclosure Provisional Order (Orford), 2R. Motion for Adjournment, 1348, 1352
- Medical Act (1858) Amendment, 2R. Motion for Adjournment, 1483
- Military Forces of the Crown, Res. 293
- Navy—H.M.S. "Beagle"—Execution of a Native of Tanna—Judicial Powers of Naval Commanders, 740
- Parliament—Corrupt Practices, 22, 1340
  - Whitsuntide Holidays, 1344
- Parliamentary and Municipal Registration (Consolidated), Comm. *cl.* 22, 1323
- Parliamentary Reporting, Nomination of Select Committee, 1677, 1679
- Racecourses (Licensing), Preamble, 1489
- Rating of Towns (Ireland), 2R. 455
- Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 3, 438, 439
- Straits Settlements—Perak, 1354;—Expedition—Expenses, 1254
- Supply—Houses of Parliament Buildings, 1360
  - Report, 1388
  - Royal Palaces, 1359
  - Secret Services, 663
  - Superannuation and Retired Allowances, 1309, 1310
- Weights and Measures, Comm. 1673, 1674

Dillwyn, Mr. L. L., *Swansea*
- Aberdeen District Tramways, 3R. 1582
- Army—Auxiliary Forces—Militia, 1422
- Army Estimates—Volunteer Corps, 1465
- Army Supplementary Estimate for Native Indian Troops, 803, 804
- Eastern Question—Berlin Congress—Correspondence, 1252
- Estimates, Discussions on the, 933
- Inclosure Provisional Order (Orford), 2R. 1350
- Irish Estimates, 1667
- Medical Act (1858) Amendment, 2R. 1483
- Military Forces of the Crown—The Indian Contingent, 747
- Military Forces of the Crown, Res. 309, 348
- Parliament—Business of the House—Whitsuntide Recess, 498, 620
- Racecourses (Licensing), Preamble, 1489
- Religious Denominations (Scotland), Motion for a Select Committee, Motion for Adjournment, 1794
- Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 6, 446; *add. cl.* 865
- Supply—Admiralty Registry of the High Court of Justice, 971
  - Chancery Division of the High Court of Justice, &c. 965, 967
  - Local Taxation in Scotland, &c. 814
  - Metropolitan Police, 996
  - Natural History Museum, Erection of, 1383
  - Police Courts of London and Sheerness, 992
  - Public Buildings, 1368, 1372
  - Science and Art Department Building, 1379
  - Stationery Office, 71, 81
  - Woods, Forests, &c. Office, 86, 87
  - Works and Public Buildings, 90
- Under Secretary of State, 2R. 822
- Weights and Measures, Comm. 1674

Diplomatic Service, The — Hon. Colonel Wellesley, Military Attaché at Vienna
Question, Mr. Benett-Stanford; Answer, The Chancellor of the Exchequer *May* 16, 31
Amendt. on Committee of Supply *May* 17, To leave out from "That," and add "this House disapproves of the appointment of Colonel Wellesley, of the Coldstream Guards, to the post of First Secretary of Embassy at Vienna, over the heads of a large number of old and competent diplomatic servants" (*Mr. Benett-Stanford*) *v.*, 169; Question proposed, "That the words, &c.;" after debate, Question put; A. 250, N. 83; M. 167 (D. L. 141)

Dodds, Mr. J., *Stockton*
Acknowledgment of Deeds by Married Women (Ireland), 3R. 123
Cotton Manufactories—Riots in Lancashire, 33
Election of Aldermen (Cumulative Vote), 2R. Amendt. 1325

Dodson, Right Hon. J. G., *Chester*
Admiralty and War Office (Retirement of Officers), 1314
Army Estimates—Volunteer Corps, 1462
Inclosure Provisional Order (Llanfair Waterdine), 2R. 1319
Inclosure Provisional Order (Orford), 1349, 1352
Supply—Consular Services, 1286
Turkish Loan of 1855, 929, 930
Valuation of Property, 2R. 1317
Waterford, Dungarvan, and Lismore Railway (Extension), 2R. 155

Dorchester, Lord
Navy—H.M.S. "Eurydice," 1063, 1067

Douglas, Sir G. H. S., *Roxburghshire*
Roads and Bridges (Scotland), Comm. *cl.* 40, Amendt. 1712

Downing, Mr. M'Carthy, *Cork Co.*
Grand Jury Law Amendment (Ireland), 358
Ireland, Disturbances in, 262
Martin, Mr. Wykeham, Death of, 1051
Poor Law (Ireland)—Pauper Children in Cork Industrial Schools, 741
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, Amendt. 95; *cl.* 6, 705; *add. cl.* 864, 865, 871, 919, 921, 922, 923; Amendt. 924
Supply—Fishery Board in Scotland, 687, 699, 701
  Reformatory, Industrial, &c. Schools, 1017
  Works and Public Buildings, Motion for reporting Progress, 94
Waterford, Dungarvan, and Lismore Railway (Extension), 2R. 144

Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation Bill
(*The Lord President*)
l. Read 2ª* *May* 21 (No. 82)
Committee*; Report *May* 23
Read 3ª* *May* 24
Royal Assent *May* 27 [41 *Vict.* c. xxxviii]

Drumcondra, Clonliffe, and Glasnevin Township Bill (*by Order*)
c. Considered* *May* 30

Dublin, Wicklow, and Wexford Railway Bill (*Lords*) (*by Order*)
c. Moved, "That the Bill be now read 2°" *May* 16, 11
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Maurice Brooks*); Question proposed, "That 'now,' &c.;" after short debate, Amendt. withdrawn
Main Question put, and agreed to; Bill read 2°

Duff, Mr. M. E. Grant, *Elgin, &c.*
Diplomatic Appointments—Colonel Wellesley, Military Attaché, Res. 179
Supply—Embassies and Missions Abroad, 1273

Duff, Mr. R. W., *Banffshire*
Harbours (Scotland), 164

Edmonstone, Admiral Sir W., *Stirlingshire*
Roads and Bridges (Scotland), Comm. *add. cl.* 1988

Education Department
Teachers and School Returns, Question, Mr. P. A. Taylor; Answer, Lord George Hamilton *May* 16, 27
The Education Votes — Financial Statement, Question, Sir Ughtred Kay-Shuttleworth; Answer, Lord George Hamilton *June* 17, 1606

Education (*Scotland*) *Bill*
Question, Mr. Mark Stewart; Answer, The Chancellor of the Exchequer *May* 27, 745

Egerton, Sir P., *Cheshire, W.*
Supply—Natural History Museum, 1384

Egerton, Hon. A. F. (Secretary to the Board of Admiralty), *Lancashire, S.E.*
Navy—Rams of Iron-clads, 1168
Supply—Stationery Office, 69

Egerton, Hon. Admiral F., *Derbyshire, E.*
Aberdeen District Tramways, 3R. 1580

Elcho, Lord, *Haddingtonshire*
Aberdeen District Tramways, 3R. 1596, 1597
Army—Auxiliary Forces—Militia, 1420
Army Estimates—Army Reserve, 1477
  Medical Establishments and Services, 1438, 1443
  Militia, &c. 1444
  Volunteer Corps, 1462, 1469

[*cont.*

Elcho Lord—*cont.*
Navy Supplementary Estimate—Transport of Native Indian Troops, 809
Roads and Bridges (Scotland), Comm. *cl.* 15, 1200; *cl.* 16, 1208; *cl.* 41, 1713; *cl.* 45, 1730; *cl.* 49, 1733; *cl.* 85, 1899; *cl.* 103, 1906; *cl.* 104, 1907; *cl.* 105, 1915, 1919; Postponed *cl.* 54, 1932; *add. cl.* 1943, 1947, 1990

Election of Aldermen (Cumulative Vote) Bill (*Mr. Wheelhouse, Mr. Isaac, Mr. Tennant*)
c. Adjourned Debate on Question [15th March], "That the Bill be now read 2°" resumed *June* 6, 1323
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Dodds*); Question proposed, "That 'now,' &c.;" Question put; A. 53, N. 48; M. 5 (D. L. 169)
Main Question put, and agreed to; Bill read 2° [Bill 71]

Elementary Education (New Code)—Article "b," sec. 7
Moved, "That an humble address be presented to Her Majesty, praying Her Majesty to be graciously pleased to direct the amendment of the New Code of Regulations of the Committee of the Privy Council on Education, by the omission of Article 'b' of section 7 of the said Code" (*Mr. Pease*) *May* 28, 842; after short debate, Motion withdrawn

Elementary Education Provisional Order Confirmation (Mickleover) Bill
(*Lord George Hamilton, Sir Henry Selwin-Ibbetson*)
c. Committee*; Report *May* 23 [Bill 161]
Read 3°* *May* 24
l. Read 1ª* (*Lord President*) *May* 27 (No. 92)
Read 2ª* *June* 4
Committee*; Report *June* 6
Read 3ª* *June* 7
Royal Assent *June* 17 [41 *Vict.* c. lvii]

Elementary Education Provisional Order Confirmation (Portsmouth) Bill
(*Lord George Hamilton, Sir Henry Selwin-Ibbetson*)
c. Read 2°* *May* 22 [Bill 179]
Committee*; Report *May* 30
Read 3°* *June* 3
l. Read 1ª* (*Lord President*) *June* 6 (No. 108)
Read 2ª* *June* 17
Committee*; Report *June* 18
Read 3ª* *June* 20

Elementary Education Provisional Orders Confirmation (Birmingham, &c.) Bill [H.L.] (*The Lord President*)
l. Read 2ª* *May* 16 (No. 68)
Committee*; Report *May* 24
Read 3ª* *May* 27
c. Read 1°* (*Lord George Hamilton*) *May* 29
Read 2°* *June* 4 [Bill 191]
Committee*; Report *June* 13
Read 3°* *June* 14

Elementary Education Provisional Order Confirmation (London) Bill [H.L.]
(*The Lord President*)
l. Read 2ª* *May* 16 (No. 67)
Committee*; Report *May* 24
Read 3ª* *May* 27
c. Read 1°* (*Lord George Hamilton*) *June* 3
Read 2°* *June* 18 [Bill 201]

Ellenborough, Lord
Army Examinations—Literary and Physical Competitions, Address for a Paper, 1331

Ellice, Mr. E., *St. Andrews*
Roads and Bridges (Scotland), Comm. *cl.* 85, 1898

Elliot, Mr. G. W., *Northallerton*
Parliament—Franchise of the Reserve Men, 622

Elphinstone, Lord
German Navy—"Der Grosser Kurfürst," Destruction of, 1033
Navy—H.M.S. "Eurydice," Foundering of 349, 1064, 1067, 1155

Emly, Lord
Contagious Diseases (Animals), Re-comm. *cl.* 78, Amendt. 737

Endowed Schools Act, 1869—*Educational Endowments—Provision for Girls*
Question, Mr. Rathbone; Answer, Lord George Hamilton *June* 17, 1603

Endowed Schools and Hospitals (Scotland) Bill [H.L.] (*The Lord Advocate*
c. Read 2° *June* 3, 1154

Epping Forest Bill
(*Sir Henry Selwin-Ibbetson, Mr. Noel*)
c. Motion for Leave (*Sir Henry Selwin-Ibbetson*) *May* 28, 854; after short debate, Motion agreed to; Bill ordered; read 1°* *May* 29 [Bill 188]
Read 2°, and committed to a Select Committee *June* 17, 1620
Select Committee nominated; List of the Committee *June* 18, 1799

Errington, Mr. G., *Longford Co.*
Army—Cavalry Force at Longford, 1683
Charlton Charity, 835
Endowed Schools (Ireland), Motion for a Select Committee, 1231
Post Office (Ireland)—Telegraphic Department—Communication with Granard, 1885
University Education (Ireland), Res. 1098

Evans, Mr. T. W., *Derbyshire, S.*
Valuation of Property, Comm. 1504

EWING, Mr. A. ORR-, *Dumbartonshire*
Religious Denominations (Scotland), Motion for a Select Committee, 1774
Roads and Bridges (Scotland), Comm. *cl.* 12, 1183, 1191, 1193, 1194; Amendt. 1196; *cl.* 16, Amendt. 1204, 1206; *cl.* 24, 1688; *cl.* 25, 1692; *cl.* 33, 1696; *cl.* 38, Amendt. 1710; *cl.* 41, 1713, 1715; *cl.* 97, 1901; *cl.* 103, 1906; Postponed *cl.* 54, 1922, 1923, 1937; *add. cl.* Amendt. 1974

Exchequer Bonds (No. 2) Bill
(*Mr. Raikes, Mr. Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson*)
c. Resolutions [May 23] reported, and agreed to; Bill ordered to be brought in upon the first three Resolutions; read 1° * *May* 24
Read 2° * *May* 27 [Bill 186]
Committee *; Report *May* 30
Read 3° * *June* 3
l. Read 1ª * (*Earl of Beaconsfield*) *June* 4
Read 2ª *; Committee negatived *June* 6
Read 3ª * *June* 7
Royal Assent *June* 17 [41 *Vict.* c. 22]

EXCHEQUER, CHANCELLOR of the (*see* CHANCELLOR of the EXCHEQUER)

EXETER, Bishop of
Truro Chapter, 2R. 1875

EYTON, Mr. P. E., *Flint, &c.*
Parliament—Business of the House, 932

Factories and Workshops Bill
(*The Lord Steward*)
l. Read 3ª *May* 16, 1 (No. 57)
After short debate, Bill passed
Royal Assent *May* 27 [41 *Vict.* c. 16]

FAWCETT, Mr. H., *Hackney*
Eastern Question—Policy of the Government—Indian Contingent, 801
India—Indian Army, 1166
Military Forces of the Crown—Indian Contingent, 624, 745, 748
Military Forces of the Crown, Res. 291; Motion for Adjournment, 347, 362
Parochial Charities of the City of London—Commission, 926
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 110; *cl.* 3, 440

FERGUSON, Mr. R., *Carlisle*
Women's Disabilities Removal, 2R. 1848

FITZMAURICE, Lord E. G., *Calne*
Inclosure Provisional Order (Orford), Comm. 1657
Persia—Visit of the Shah, 928

FLETCHER, Mr. I., *Cockermouth*
Northern Circuit—Assizes, 39

Floods Prevention—Conservancy Boards
Question, Observations, The Marquess of Ripon; Reply, The Duke of Richmond and Gordon *June* 4, 1162

FLOYER, Mr. J., *Dorsetshire*
Valuation of Property, Comm. 1519

Foreign Office Reports
Question, Mr. Baillie Cochrane; Answer, Mr. Bourke *June* 7, 1339

FORSTER, Sir C., *Walsall*
German Emperor, 1169

FORSTER, Right Hon. W. E., *Bradford*
Eastern Question—Berlin Congress—Correspondence, 1252
Elementary Education (New Code), Motion for an Address, 845
Emperor of Germany, Attempted Assassination of, 1256
Endowed Schools (Ireland), Motion for a Select Committee, 1232
Highways, Comm. *cl.* 26, 1346
Military Forces of the Crown, Res. 554
Parliament—Business of the House, 835, 1256

FORSYTH, Mr. W., *Marylebone*
Military Forces of the Crown, Res. 412
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 893

FORTESCUE, Earl
Army—Competitive Examinations for Commissions, 352
Army Examinations—Literary and Physical Competitions, Address for a Paper, 1329
Conservancy Boards, 1163
Poor Law Amendment Act (1876) Amendment, 2R. 1241
Public Health Act (1875) Amendment, Comm. *cl.* 2, Amendt. 1159; *cl.* 4, 1162

FRASER, Sir W. A., *Kidderminster*
Post Office—Dover and Calais Mail Contracts, 494
Post Office—Dover and Calais Mail Contract, Res. Amendt. 1237
Racecourses (Licensing), Comm. *cl.* 6, 1489

Fraserburgh Harbour Bill (*by Order*)
c. Read 3° * *June* 6

FRENCH, Hon. C., *Roscommon*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 872, 1022
Supply—Reformatory, Industrial, &c. Schools, 1015

Gas and Water Orders Confirmation Bill
(*Mr. J. G. Talbot, Viscount Sandon*)
c. Committee *; Report *May* 22 [Bill 153]
Considered * *May* 23
Read 3º * *May* 24
l. Read 1ª * (*Lord President*) *May* 27 (No. 93)
Read 2ª * *June* 3
Committee *; Report *June* 4
Read 3ª * *June* 6
Royal Assent *June* 17 [41 *Vict.* c. lvi]

General Police and Improvement Provisional Order (Paisley) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
c. Read 2º * *May* 16 [Bill 170]
Committee *; Report *May* 24
Read 3º * *May* 27
l. Read 1ª * (*Lord Steward*) *May* 28 (No. 91)
Read 2ª * *June* 6
Committee *; Report *June* 7
Read 3ª * *June* 17

General Police and Improvement (Scotland) Act, 1862, Amendment Bill
(*Mr. M'Lagan, Mr. Orr Ewing, Colonel Mure*)
c. Committee *; Report *June* 6 [Bill 148]
Considered * *June* 13
Read 3º * *June* 14
l. Read 1ª * (*Earl of Rosebery*) *June* 17 (No. 124)

Germany
Attempted Assassination of the Emperor of Germany, Question, Earl Granville; Answer, The Marquess of Salisbury *June* 3, 1060; Statement, Mr. Bourke, 1078; Questions, Sir Charles Forster, Mr. Newdegate; Answers, Mr. Bourke, The Chancellor of the Exchequer *June* 4, 1169; Question, Mr. W. E. Forster; Answer, The Chancellor of the Exchequer *June* 6, 1256
The German Navy—Destruction of the Ironclad "Der Grosser Kurfürst," Question, Earl De La Warr; Answer, Lord Elphinstone *May* 31, 1033; Question, Captain Pim; Answer, Mr. W. H. Smith, 1037

Gibson, Right Hon. E., (Attorney General for Ireland), *Dublin University*
Acknowledgment of Deeds by Married Women (Ireland), 3R. 122
Charlton Charity, 835
Collection of Rates (Dublin), 1167; Leave, 1676
Galtee Estate, Motion for a Select Committee, 1548
Ireland, Disturbances in, 262
Local Courts of Bankruptcy (Ireland), 1608
Public Health (Ireland), 497; Comm. *add. cl.* 1992
Rating of Towns (Ireland), 2R. 469
Registration of Deeds (Ireland)—Report of the Royal Commission, 35, 159

Giffard, Sir H. S. (see Solicitor General, The)

Gladstone, Right Hon. W. E., *Greenwich*
Eastern Question—Policy of the Government—Indian Contingent, 767, 774
Military Forces of the Crown, Res. 336, 387, 400, 511, 562, 593
"Nineteenth Century"—Article on "Liberty in the East and West" (Mr. Gladstone)—Mr. Hanbury's Motion, 1617
Parliament—Public Petitions—Indian Press Law, 1681
Religious Denominations (Scotland), Motion for a Select Committee, 1782
Treaties of 1856 and 1871, Res. 1408

Gold and Silver Hall Marking
Select Committee nominated; List of the Committee *May* 27, 824

Goldney, Mr. G., *Chippenham*
Military Forces of the Crown, Res. 307
Valuation of Property, Comm. 1645

Gordon, Sir A., *Aberdeenshire, E.*
Army Estimates—Militia, &c. 1445
Dominion of Canada — Canada Temperance Bill, 833
Eastern Question—Policy of the Government—Indian Contingent, 775
Harbours (Scotland), 167
India—Native Indian Forces—Terms of Service, 498
Military Forces Localization Act—Comptroller and Auditor General's Report, 1416
Military Forces of the Crown—Indian Contingent, 24; Res. 541
Religious Denominations (Scotland), Motion for a Select Committee, Amendt. 1769, 1797
Roads and Bridges (Scotland), Comm. *cl.* 49, 1733; *cl.* 105, 1913; Postponed *cl.* 54, 1920, 1922; Amendt. 1926; *add. cl.* 1982, 1983
Supply—Fishery Board, Scotland, 684, 700

Gorst, Mr. J. E., *Chatham*
Navy — H.M.S. "Beagle" — Execution of a Native of Tanna—Judicial Powers of Naval Commanders, 35, 1254
Supply—Criminal Prosecutions—Sheriffs' Expenses, &c. 943
Law Charges, 942
Women's Disabilities Removal, 2R. 1844

Goschen, Right Hon. G. J., *London*
Navy Supplementary Estimate—Transport of Native Indian Troops, 812
Valuation of Property, Comm. 1521

Gourley, Mr. E. T., *Sunderland*
Merchant Seamen Bill — Select Committee, 1609
Navy—Sailing Regulations of the Fleet, 1879
Russia—Purchase and Equipment of Privateers, 357
Supply, Report, 1153
United States—Treaty of Washington—22nd Article—Award of the Fisheries Commissioners, 1492

Grand Jury Law Amendment (Ireland) Bill
Question, Mr. M'Carthy Downing; Answer, Mr. J. Lowther *May* 21, 358

Grant, Mr. A. *Leith*
Roads and Bridges (Scotland), Comm. *cl.* 45, 1728; *cl.* 83, Amendt. 1893; *add. cl.* 1972

Grantham, Mr. W., *Surrey, E.*
Military Forces of the Crown, Res. *425

Granville, Earl
Earl Russell, the Late, 1033
Eastern Question—Miscellaneous Questions
  Agreement between England and Russia, 1569, 1570
  Armenians, 1246
  Congress — Ministerial Statement, 1056, 1060
Emperor of Germany, Attempted Assassination of, 1060
Medical Act, 1858, Amendment, Comm. 618
Military Forces of the Crown—Employment of Indian Troops, 217, 244, 248

Gray, Mr. E. D., *Tipperary*
Aberdeen District Tramways, 3R. 1597
Board of Works—Report of the Commission, 1882
Collection of Rates (Dublin), Leave, 1676
Galtee Estate, Motion for a Select Committee, 1527
Ireland—Cashel and Sligo, Disfranchisement of, 1883
  Collection of Rates (Dublin), 1257
Irish Estimates, 1668
Parliamentary Reporting, Nomination of Select Committee, 1678
Post Office (Ireland)—Mr. John Daly, Case of, 1603, 1604
Public Health (Ireland), Comm. *add. cl.* 1992
Supply—Fishery Board in Scotland, 696, 697, 702
Waterford, Dungarvan, and Lismore Railway (Extension), 2R. 153

Greene, Mr. E., *Bury St. Edmunds*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 109
Women's Disabilities Removal, 2R. 1859

Gregory, Mr. G. B., *Sussex, E.*
Dental Practitioners, Comm. *cl.* 22, 1321
Galtee Estate, Motion for a Select Committee, 1554
High Court of Justice, 1071
Probate, Legacy, and Succession Duties, Res. 635
Supply—Chancery Division of the High Court of Justice, &c. 954, 965, 967
  Criminal Prosecutions—Sheriffs' Expenses, &c. 945
  Land Registry, 984
  Law Charges, 941, 943
  Public Buildings, 1366
  Queen's Bench, &c. 968
  Woods, Forests, &c. Office of, 84, 88

Grey, Earl
Army Examinations—Literary and Physical Competitions, Address for a Paper, 1330
Eastern Question—Congress—Alleged Agreement between England and Russia, 1061, 1570, 1571
  Ministerial Statement, 1059

Guinness, Sir A. E., *Dublin*
Dublin, Wicklow, and Wexford Railway, 2R. 19

Hall, Mr. A. W., *Oxford*
Military Forces of the Crown, Res. 527

Hamilton, Lord G. F. (Vice President of the Committee of Council on Education), *Middlesex*
Bethnal Green Museum, Res. 37
Charity Commission—North Sunderland Harbour, 1607
Education Department—Financial Statement, 1606
Elementary Education (New Code), Motion for an Address, 850
Endowed Schools Commissioners—Educational Endowments, 1603
South Kensington Museum—National Portrait Gallery, 25
Teachers and School Returns, 27

Hampton, Lord
Army—Competitive Examinations for Commissions, 354
Army Examinations—Literary and Physical Competitions, Address for a Paper, 1328

Hanbury, Mr. R. W., *Tamworth*
"Nineteenth Century"—The Article on "Liberty in the East and West" (Mr. Gladstone)—Mr. Hanbury's Motion, 1069, 1070, 1170, 1616, 1617
Women's Disabilities Removal, 2R. Amendt. 1815

Hankey, Mr. T., *Peterborough*
Railway Accidents — Death of Sir Francis Goldsmid, 1166

Harbours—North Sunderland Harbour
Question, General Sir George Balfour; Answer, Lord George Hamilton *June* 17, 1607

Harcourt, Sir W. G. V., *Oxford City*
Military Forces of the Crown, Res. 283, 286, 328, 333, 529

Hardcastle, Mr. E., *Lancashire, S.E.*
Eastern Question—Policy of the Government—Indian Contingent, 791
Inclosure Provisional Order (Orford), 2R. 1350

Hardinge, Viscount
Army Examinations—Riding and Athletics, 351

HARMAN, Mr. E. R., KING-, *Sligo*
Endowed Schools (Ireland), Motion for a Select Committee, 1229
Registry of Deeds (Ireland)—The Royal Commission, 158
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 117; *cl.* 6, 445, 446; *add. cl.* 873, 898, 919
Supply—Fishery Board in Scotland, 697
University Education (Ireland), Res. 1109

HARROWBY, Earl of
Church of England—Preachers in St. Paul's, 126, 491
Eastern Question—Congress—Treaty of San Stefano, 1249

HARTINGTON, Right Hon. Marquess of, *New Radnor*
Earl Russell, the Late, 1084
Eastern Question—Miscellaneous Questions
Agreement between England and Russia, 1614
Congress, 748
Ministerial Statement, Motion for Adjournment, 1079
Policy of the Government—Indian Contingent, 792
Estimates, Discussions on the, 937
Martin, Mr. Wykeham, Death of, 1054
Military Forces of the Crown—Indian Contingent, 161; Res. 264, 379, 601
Parliament—Business of the House, 498
Religious Denominations (Scotland), Motion for a Select Committee, 1794
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 2, 122

HAVELOCK, Sir H. M., *Sunderland*
Admiralty and War Office Re-organization——Clerks of Royal Engineer Department, 1037
Indian Troops, Cost of, Motion for a Select Committee, 760
Military Forces of the Crown, Res. 422
Navy Supplementary Estimate—Transport of Native Indian Troops, 808
Supply—Colonial Local Revenue, 1306

HAY, Admiral Right Hon. Sir J. C. D., *Stamford*
Turkey—British Fleet in the Sea of Marmora, 1256

HAYTER, Colonel A. D., *Bath*
Army—Auxiliary Forces—Militia, 1418
Northampton Militia, 1344
Army Estimates—Militia, &c. 1444
Volunteer Corps, 1456
Eastern Question—Congress—Correspondence, 1252
English Representatives, 1167
Indian Troops, Cost of, Motion for a Select Committee, 756
South Africa—Kaffir War—Officers on Special Service, 1389
Supply—Embassies and Missions Abroad, 1267
Metropolitan Fire Brigade, 1386

HENRY, Mr. Mitchell, *Galway Co.*
Army—Medical Service, 1880
Galtee Estate, Motion for a Select Committee, 1555, 1559
Parliament—Business of the House, 838
Supply—Fishery Board in Scotland, 686, 690, 692, 695, 702
Queen's and Lord Treasurer's Remembrancer, 679
Stationery Office, 49, 53, 54, 57, 61, 64
University Education (Ireland), Res. 1136

HERBERT, Mr. H. A., *Kerry Co.*
Dublin, Wicklow, and Wexford Railway, 2R. 19
Galtee Estate, Motion for a Select Committee, 1557
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 906, 913

HERMON, Mr. E., *Preston*
Roads and Bridges (Scotland), Comm. *cl.* 85, 1899
Supply—County Courts, 980
Woods, Forests, &c. Office, 84

HERSCHELL, Mr. F., *Durham*
Criminal Code (Indictable Offences), 1671
India—Jowaki Afreedis Expedition, 1605
Military Forces of the Crown, Res. 515
Supply—Natural History Museum, Erection of, 1383

HERVEY, Lord F., *Bury St. Edmunds*
Elementary Education (New Code), Motion for an Address, 849
Parliament—Business of the House, 841
Supply—Public Buildings, 1370

HIBBERT, Mr. J. T., *Oldham*
Supply—Broadmoor Criminal Lunatic Asylum, 1018, 1019
Convict Establishments, 1006
County Prisons, &c. (Great Britain), 1010
Police Counties and Boroughs (Great Britain), 998
Women's Disabilities Removal, 2R. 1855

Highways Bill (*Mr. Sclater-Booth, Mr. Salt*)
c. Committee; Report *June* 7, 1345 [Bill 95]

Highways (South Wales) Bill
(*Mr. Hussey Vivian, Mr. Christopher Talbot, Mr. Dillwyn, Viscount Emlyn*)
c. Committee*; Report *May* 23 [Bill 160]
Considered* *May* 27
Read 3°* *May* 29
l. Read 1ª* (*Earl Cawdor*) *May* 31 (No. 98

HILL, Mr. T. R., *Worcester*
Supply—Police, Counties and Boroughs (Great Britain), 1001

HOGG, Lt.-Colonel Sir J. M., *Truro*
Contracts for Watering the Streets, 257
Metropolis Waterworks (Purchase), 2R. Bill withdrawn, 493

HOLKER, Sir J. (*see* ATTORNEY GENERAL, The)

HOLMS, Mr. J., *Hackney*
Military Forces of the Crown, Res. 543, 544

HOLMS, Mr. W., *Paisley*
Aberdeen District Tramways, 3R. 1589
Military Forces of the Crown, Res. 347
Parliament—Business of the House, 360, 1615
Religious Denominations (Scotland), Motion for a Select Committee, 1738
Roads and Bridges (Scotland), Comm. *cl.* 12, 1191; *cl.* 41, Amendt. 1713, 1715; *cl.* 83, Amendt. 1892
Sale of Food and Drugs Act, 1875—Scotland, 495
Supply—Reformatory, Industrial, &c. Schools, 1012; Amendt. 1013, 1016

HOME, Captain D. Milne, *Berwick*
Army—Auxiliary Forces—Yeomanry Sergeant-Majors, 1607

HOPE, Mr. A. J. B. Beresford, *Cambridge University*
South Kensington Museum—National Portrait Gallery, 24
Supply—Public Buildings, 1372
Women's Disabilities Removal, 2R. 1849

HOPWOOD, Mr. C. H., *Stockport*
Contagious Diseases Acts Repeal, 2R. 478
Eastern Question—Policy of the Government—Indian Contingent, 778
Naval Courts Martial, 1251
Post Office—Mail Contracts, 25
Supply—Convict Establishments, 1005
  Embassies and Missions Abroad, 1268
  Police, Counties and Boroughs (Great Britain), 998
  Police Courts of London and Sheerness, 993

HOUGHTON, Lord
Eastern Question—Alleged Agreement between England and Russia, 1570

HUBBARD, Right Hon. J. G., *London*
Elementary Education (New Code), Motion for an Address, 849
Gray's Inn Road, 258
Parliament—Public Business, 625
Probate, Legacy, and Succession Duties, Res. 638
Valuation of Property, Comm. 1647

HUNTLY, Marquess of
Contagious Diseases (Animals), Re-comm. *cl.* 33, 735

Hypothec (Scotland) Bill (*Mr. Agnew, Mr. Baillie Hamilton, Sir George Douglas*)
c. Order for 2R. read *May* 28, 857 [Bill 29]
[House counted out]

Inclosure Provisional Orders Bill [H.L.]
(*The Lord Steward*)
l. Committee*; Report *May* 23 (No. 64)
Read 3ª* *May* 24
c. Read 1°* (*Sir Matthew Ridley*) *May* 29 [Bill 192]

Inclosure Provisional Order (Llanfair Waterdine) Bill
(*Sir Matthew Ridley, Mr. Secretary Cross*)
c. Ordered* *May* 28
Read 1°* *May* 29 [Bill 190]
Moved, "That the Bill be now read 2°" *June* 6, 1318
Moved, "That the Debate be now adjourned" (*Sir Charles W. Dilke*); after short debate, Motion withdrawn
Main Question put, and agreed to; Bill read 2°
Committee*; Report *June* 13
Read 3°* *June* 14
l. Read 1ª* (*Lord Steward*) *June* 17 (No. 115)

Inclosure Provisional Order (Orford) Bill
(*Sir Matthew Ridley, Mr. Secretary Cross*)
c. Ordered* *May* 28
Read 1°* *May* 29 [Bill 189]
Moved, "That the Bill be now read 2°" *June* 7, 1348
Moved, "That the Debate be now adjourned" (*Sir Charles W. Dilke*); after short debate, Question put; A. 48, N. 69; M. 21 (D. L. 170)
Question again proposed, "That the Bill be now read 2°;" Moved, "That this House do now adjourn" (*Mr. Edward Jenkins*); after short debate, Motion withdrawn
Original Question put, and agreed to; Bill read 2°
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *June* 17, 1657
After short debate, Moved, "That the Debate be now adjourned" (*Mr. Parnell*); Motion withdrawn
Original Question put, and agreed to; Committee; Report
Read 3°* *June* 18
l. Read 1ª* *June* 20 (No. 127)

INDIA
MISCELLANEOUS QUESTIONS
Army (*India*)
  Native Indian Forces — Terms of Service, Question, Sir Alexander Gordon; Answer, Mr. E. Stanhope *May* 23, 498
  The Indian Army—The Indian Contingent, Question, Mr. Fawcett; Answer, Mr. E. Stanhope *June* 4, 1166
    [See title *Army—Military Forces of the Crown*]
  Ecclesiastical Salaries (*India*), Question, Mr. Baxter; Answer, Mr. E. Stanhope *May* 16, 27
  Madras Harbour, Question, Mr. Smollett; Answer, Mr. E. Stanhope *May* 16, 24
  The Financial Statement, Question, Mr. Arthur Mills; Answer, Mr. E. Stanhope *May* 31, 1036

[*cont.*

INDIA—*cont.*
The Jowaki Afreedis Expedition, Question, Mr. Herschell; Answer, Mr. E. Stanhope *June* 17, 1605
The Maharajah of Kuch Bahar, Question, Mr. O'Donnell; Answer, Mr. E. Stanhope *June* 3, 1073
The Recent Famine, Question, Mr. B. Potter; Answer, Mr. E. Stanhope *May* 27, 744
The Vernacular Press Act—The Press Commissioner, Question, Sir George Campbell; Answer, Mr. E. Stanhope *June* 3, 1071
Troops of Native States, Question, Mr. O'Donnell; Answer, Mr. E. Stanhope *June* 3, 1073

Innkeepers Bill (*Mr. Wheelhouse, Mr. Locke, Mr. Spencer Stanhope*)
c. Ordered; read 1° * *June* 6 [Bill 211]
Read 2° * *June* 20

IRELAND
MISCELLANEOUS QUESTIONS
Blackwater Bridge, Youghal, Question, Sir Joseph M'Kenna; Answer, Mr. J. Lowther *June* 6, 1250
Collector of Rates Office, Dublin—The Report, Question, Mr. M. Brooks; Answer, Mr. J. Lowther *May* 24, 627
Collection of Rates, Dublin — Legislation, Question, Mr. M. Brooks; Answer, The Attorney General for Ireland *June* 4, 1167; Question, Mr. Gray; Answer, Mr. J. Lowther *June* 6, 1257
Commissioners of National Education (*Ireland*) *—Agricultural Model Schools*, Question, Mr. Richard Power; Answer, Mr. J. Lowther *May* 31, 1036
Crime in Ireland—Returns, Question, Lord Oranmore and Browne; Answer, The Duke of Richmond and Gordon *May* 24, 618
Disturbances in Ireland, Question, Mr. M'Carthy Downing; Answer, The Attorney General for Ireland *May* 20, 262
Lunatic Asylums (*Ireland*)*—The Governor of Limerick Asylum*, Observations, Mr. Butt; Reply, Mr. J. Lowther; short debate thereon *May* 24, 640
Parliament—The Disfranchisement of Cashel and Sligo, Question, Mr. Gray; Answer, The Chancellor of the Exchequer *June* 20, 1883
Poor Law (*Ireland*)*—Pauper Children in Cork Industrial Schools*, Questions, Mr. M'Carthy Downing; Answer, Mr. J. Lowther *May* 27, 741
Post Office (*Ireland*)*—Case of Mr. John Daly*, Question, Mr. Gray; Answer, Lord John Manners *June* 17, 1603;*—Telegraphic Department — Communication with Granard*, Question, Mr. Errington; Answer, Lord John Manners *June* 20, 1885
Queen's Colleges (*Ireland*)*—The Civil Service Estimates*, Question, Major Nolan; Answer, The Chancellor of the Exchequer *June* 17, 1612
Registration of Deeds (*Ireland*)*—Report of the Royal Commission*, Question, Mr. Osborne Morgan; Answer, The Attorney General for Ireland *May* 16, 35; Question, Mr. King-Harman; Answer, The Attorney General for Ireland *May* 17, 158

IRELAND—*cont.*
The Charlton Charity, Question, Mr. Errington; Answer, The Attorney General for Ireland *May* 28, 835

Ireland—Endowed Schools
Moved, "That a Select Committee be appointed to inquire into the condition, revenues, and management of the Endowed Schools of Ireland, with instructions to report how far those endowments are at present promoting or are applicable to the promotion of Intermediate Education in that Country without distinction of class or religion" (*Lord Randolph Churchill*) *June* 4, 1216
Amendt. at end of Question, add "and also into the practicability of establishing schools upon the denominational system" (*Lord Charles Beresford*); Question proposed, "That those words be there added;" after short debate, Amendt. and Motion withdrawn

Ireland—Forces of the Crown in Ireland
Moved, "That an humble Address be presented to Her Majesty for Return of the numbers of Forces of the Crown raised and maintained on the Irish Establishment in Ireland between A.D. 1700 and A.D. 1800, distinguishing the numbers the raising and maintenance of which were authorized by the Parliament of England from the numbers not so authorized" (*Lord Penzance*) *June* 7, 1333; after short debate, Motion amended, and agreed to

Ireland—The Galtee Estate
Amendt. on Committee of Supply *June* 14, To leave out from "That," and add "a Select Committee be appointed to inquire into and report upon the statements as to the treatment and condition of the tenants on the estate known as the 'Galtee Estate,' in the counties of Cork and Tipperary, which were made in the evidence given during the second trial of John Sarsfield Casey in the Court of Queen's Bench in Dublin" (*Mr. Gray*) *v.*, 1527; Question proposed, "That the words, &c.;" after debate, Question put; A. 74, N. 50; M. 24 (D. L. 172)

Ireland—University Education
Amendt. on Committee of Supply *May* 31, To leave out from "That," and add "in the opinion of this House, the present condition of University Education in Ireland is most unsatisfactory, and demands the immediate attention of Parliament with the view of extending more generally and equally the benefits of such education" (*The O'Conor Don*) *v.*, 1038; Question proposed, "That the words, &c.;" Moved, "That this House do now adjourn" (*Sir George Bowyer*); after short debate, Question put, and agreed to
Question, The O'Conor Don; Answer, The Chancellor of the Exchequer *June* 3, 1082

[*cont.*

Ireland—University Education
Amendt. on Committee of Supply *June* 3, To leave out from "That," and add "in the opinion of this House, the present condition of University Education in Ireland is most unsatisfactory, and demands the immediate attention of Parliament, with the view of extending more generally and equally the benefits of such education" (*Mr. Blennerhassett*) *v.*, 1085; Question proposed, "That the words, &c.;" after long debate, Question put; A.200, N.67; M. 133
Div. List, A. and N., 1150

ISAAC, Mr. S., *Nottingham*
Criminal Law—Arson, Charge of, 255
Racecourses (Licensing), Comm. *cl.* 1, Motion for Adjournment, 1483

JACKSON, Sir H. M., *Coventry*
Supply—Chancery Division of the High Court of Justice, &c. 961
Women's Disabilities Removal, 2R. 1862

JAMES, Sir H., *Taunton*
Military Forces of the Crown, Res. 569, 573, 574, 581

JAMES, Mr. W. H., *Gateshead*
Eastern Question—Agreement between Russia and England, 1493

JENKINS, Mr. D. J., *Penryn, &c.*
Navy Supplementary Estimate—Transport of Native Indian Troops, 808
Supply—Consular Services, 1287

JENKINS, Mr. E., *Dundee*
Eastern Question—Policy of the Government—Indian Contingent, 766
Imprisonment for Debt, 1353
Inclosure Provisional Order (Orford), 2R. Motion for Adjournment, 1352
Military Forces of the Crown—Indian Contingent, 161, 625
Prisons Act, 1877—Rules as to Debtors, 626
Supply—County Court Buildings, 1373
Embassies and Missions Abroad, 1270, 1279, 1280
Natural History Museum, Erection of, 1382, 1383; Amendt. 1384
Public Buildings, 1367
Science and Art Department Buildings, 1378
Treaties of 1856 and 1871, Res. 1404

JENKINSON, Sir G. S., *Wiltshire, N.*
Contagious Diseases (Animals), 1253
Valuation of Property, Comm. 1523

JOHNSTONE, Sir H., *Scarborough*
Contagious Diseases Acts Repeal, 2R. 475, 478, 481

KAY-SHUTTLEWORTH, Sir U. J., *Hastings*
Admiralty and War Office (Retirement of Officers), 2R. 1314
Dental Practitioners, Comm. *cl.* 22, 1321
Education Department—Financial Statement, 1606
Physical Competition for the Army, 1606

KENEALY, Dr. E. V., *Stoke-upon-Trent*
Criminal Law—Miscellaneous Questions
Dodwell, Rev. Mr., Case of, 622
George Broomfield, Release of, 157
John Hennafan, Case of, 621
Law and Justice—Police Magistracy—Mr. Benson, 157
Navy—H.M.S. "Beagle"—Execution of a Native of Tanna—Judicial Powers of Naval Commanders, 621
Parliament—Privileges of Members, 643, 656

KENNAWAY, Sir J. H., *Devon, E.*
Eastern Question — Congress — Armenians, 1068, 1168

KIMBERLEY, Earl of
Matrimonial Causes Acts Amendment, 3R. 126
Poor Law Amendment Act (1876) Amendment, 2R. 1241
Public Health Act (1875) Amendment, 2R. 825; Comm. 1157; *cl.* 2, Amendt. 1160; *cl.* 4, 1161

KIRK, Mr. G. H., *Louth*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 6, 707, 710; *add. cl.* 1905

KNATCHBULL-HUGESSEN, Right Hon. E. H., *Sandwich*
Aberdeen District Tramways, 3R. 1594
Diplomatic Appointments—Colonel Wellesley, Military Attaché, Res. 185
Galtee Estate, Motion for a Select Committee, 1559
Highways, Comm. 1345
Inclosure Provisional Order (Orford), 2R. 1351
Parliament—Business of the House, 835, 1343
Valuation of Property, Comm. 1511, 1512

KNIGHT, Mr. F. W., *Worcestershire, W.*
Valuation of Property, Comm. 1639

LAING, Mr. S., *Orkney, &c.*
Military Forces of the Crown, Res. 319
Religious Denominations (Scotland), Motion for a Select Committee, 1798

Landlord and Tenant (Ireland) Bill
(*Mr. Herbert, Mr. King-Harman, Mr. Dease*)
c. Ordered; read 1°* *June* 14 [Bill 218]

Land Tax
Amendt. on Committee of Supply *June* 7, To leave out from "That," and add "in the opinion of this House, the present system of Land Taxation is inequitable, and requires to be amended" (*Mr. O'Donnell*) *v.*, 1355; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn

LANSDOWNE, Marquess of
Army—Competitive Examinations for Commissions, 355

LAW, Right Hon. H., *Londonderry Co.*
Rating of Towns (Ireland), 2R. 466

LAW AND JUSTICE
MISCELLANEOUS QUESTIONS
Assizes and Quarter Sessions, Question, Mr. Williams Wynn; Answer, Mr. Assheton Cross *June* 17, 1604
Grantham County Court—Case of Margaret Carroll, Question, Mr. P. A. Taylor; Answer, Mr. Assheton Cross *May* 28, 833
High Court of Justice, Question, Mr. Gregory; Answer, Mr. Assheton Cross *June* 3, 1071
Imprisonment for Debt, Observations, Mr. E. Jenkins; Reply, Mr. Assheton Cross *June* 7, 1353
Supreme Court of Judicature Act, 1873—*Sec.* 75—*Councils of the Judges*, Question, Mr. Waddy; Answer, Sir Matthew White Ridley *May* 16, 22
The Northern Circuit—Assizes at Manchester, Observations, Mr. Percy Wyndham; Reply, Mr. Assheton Cross; short debate thereon *May* 16, 38
The Police Magistracy—Mr. Benson, Question, Dr. Kenealy; Answer, Mr. Assheton Cross *May* 17, 157

LEFEVRE, Mr. G. J. Shaw, *Reading*
Army—Auxiliary Forces—Militia, 1422
Criminal Code (Indictable Offences), 2R. 1673
Epping Forest, Leave, 856; 2R. 1620
Inclosure Provisional Order (Orford), 2R. 1349; Comm. 1659
Parliamentary Reporting, Nomination of Select Committee, 1679

Leicester Corporation Bill
c. Considered * *June* 20

LEWIS, Mr. C. E., *Londonderry*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 114; *add. cl.* 923
Supply—Chancery Division of the High Court of Justice, &c. 963
Stationery Office, 48, 52
University Education (Ireland), Res. 1145

LIMERICK, Earl of
Army Reserve—Allowances to Families of Reserve Men, Address for Correspondence, 10

LINDSAY, Colonel R. J. Loyd (Financial Secretary for War), *Berkshire*
Aberdeen District Tramways, 3R. 1593
Army—Cavalry Force at Longford, 1683
Army Estimates—Militia, &c. 1444

Linen and Hempen Manufactures (Ireland) Bill (*Mr. James Lowther, Mr. Attorney General for Ireland*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1° * *May* 22 [Bill 184]

LLOYD, Mr. M., *Beaumaris*
Criminal Code (Indictable Offences), 2R. 1671, 1672
Northern Circuit—Assizes, 39
Supply—Fishery Board in Scotland, 688
Government Property, Rates on, 1386
Survey of the United Kingdom, 1377
Valuation of Property, Comm. 1634

LLOYD, Mr. S. S., *Plymouth*
Elementary Education (New Code), Motion for an Address, 853
Navy—Navigating Officers, 1035
Supply—Embassies and Missions Abroad, 1282

Local Courts of Bankruptcy (Ireland) Bill
Question, Mr. J. P. Corry; Answer, The Attorney General for Ireland *June* 17, 1608

Local Government Provisional Orders (Abergavenny Union, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Read 2° * *May* 22 [Bill 166]
Committee * (*on re-comm.*); Report *June* 13
Considered *; read 3° *June* 14
l. Read 1ª * (*Lord President*) *June* 17 (No. 116)
Read 2ª * *June* 18

Local Government Provisional Orders (Abingdon, &c.) Bill
(*The Lord President*)
l. Read 2ª * *May* 20 (No. 83)
Committee *; Report *May* 21
Read 3ª * *May* 23
Royal Assent *May* 27 [41 *Vict.* c. xxxvii]

Local Government Provisional Orders (Artizans' and Labourers' Dwellings) Bill (*Mr. Salt, Mr. Sclater-Booth*)
c. Read 2° * *May* 20 [Bill 162]
Committee *; Report *May* 29
Read 3° * *May* 30
l. Read 1ª * (*Lord President*) *May* 31 (No. 101)
Read 2ª * *June* 7
Committee *; Report *June* 17
Read 3ª * *June* 18

Local Government (Ireland) Provisional Order Confirmation (Artizans' and Labourers' Dwellings) (Cork) Bill
(*Mr. James Lowther, Mr. Attorney General for Ireland*)
c. Read 2° * *May* 22 [Bill 180]
Committee *; Report *June* 7
Read 3° * *June* 13
l. Read 1ª * (*Lord President*) *June* 17 (No. 117)
Read 2ª * *June* 18

Local Government Provisional Orders (Belper Union, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Read 2° * *May* 20 [Bill 164]
Committee * (*on re-comm.*); Report *June* 13
Considered *; read 3° *June* 14
l. Read 1ª * (*Lord President*) *June* 17 (No. 118)
Read 2ª * *June* 18

Local Government Provisional Orders (Birmingham, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Read 2° * *May* 16 [Bill 165]
Committee * ; Report *May* 25
Read 3° * *May* 27
l. Read 1ª * (*Lord President*) *May* 28 (No. 95)
Read 2ª * *June* 6
Committee * ; Report *June* 7
Read 3ª * *June* 17

Local Government Provisional Orders (Bournemouth, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Read 2° * *May* 22 [Bill 168]
Committee * (*on re-comm.*) ; Report *June* 13
Considered * ; read 3° *June* 14 [Bill 213]
l. Read 1ª * (*Lord President*) *June* 17 (No. 119)
Read 2ª * *June* 18

Local Government Provisional Orders (Darenth Valley) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Read 2° * *May* 20 [Bill 175]
Committee * ; Report *June* 13
Read 3° * *June* 14
l. Read 1ª * (*Lord President*) *June* 17 (No. 120)

Local Government Provisional Orders (Dawlish, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Committee * (*on re-comm.*) ; Report *June* 13
Read 3° * *June* 14 [Bill 212]
l. Read 1ª * (*Lord President*) *June* 17 (No. 121)
Read 2ª * *June* 18

Local Government Provisional Orders (Droitwich, &c.) Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Committee * ; Report *May* 23 [Bill 163]
Read 3° * *May* 24
l. Read 1ª * (*Lord President*) *May* 27 (No. 94)
Read 2ª * *June* 4
Committee * ; Report *June* 6
Read 3ª * *June* 7
Royal Assent *June* 17 [41 *Vict.* c. lvii]

Local Government Provisional Orders (Ireland) Confirmation (Downpatrick, &c.) Bill (*Mr. James Lowther, Mr. Attorney General for Ireland*)
c. Ordered * *June* 4
Read 1° * *June* 6 [Bill 210]
Read 2° * *June* 18

Locke, Mr. J., *Southwark*
Epping Forest, Leave, 856

London, Bishop of
Church of England—Preachers in St. Paul's, 127, 492

London Bridge Bill (*by Order*)
c. Bill withdrawn * *May* 31

Longford, Earl of
Contagious Diseases (Animals), Re-comm. *cl.* 78, 738

Lopes, Sir M., *Devonshire, S.*
Admiralty and War Office (Retirement of Officers), 2R. 1315
Valuation of Property, Comm. 1635

Lord Clerk Register (Scotland) Bill
(*Mr. Secretary Cross, The Lord Advocate*)
c. Ordered ; read 1° * *May* 16 [Bill 182]
Read 2° * *May* 27

Lorne, Marquess of, *Argyllshire*
Roads and Bridges (Scotland), Comm. *add. cl.* 1971

Lowe, Right Hon. R., *London University*
University Education (Ireland), Res. 1045

Lowther, Right Hon. J. (Chief Secretary for Ireland), *York City*
Diplomatic Appointments—Colonel Wellesley, Military Attaché, Res. 186
Ireland—Miscellaneous Questions
  Blackwater Bridge, Youghal, 1251
  Collector of Rates Office, Dublin—Report, 627, 1257
  Commissioners of National Education—Agricultural Model Schools, 1036
  Grand Jury Law Amendment, 358
  Lunatic Asylums—The Governor of Limerick Asylum, 642
  Poor Law—Pauper Children in Cork Industrial Schools, 741, 742
Ireland—Endowed Schools, Motion for a Select Committee, 1233, 1236
Ireland—Galtee Estate, Motion for a Select Committee, 1557, 1558, 1561
Ireland—University Education, Res. 1139
Parliament—Public Business, 1343
Racecourses (Licensing), Comm. *cl.* 1, 1484, 1486
Rating of Towns (Ireland), 2R. 472
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 4, 444 ; *cl.* 6, 446, 706, 714, 718 ; *add. cl.* 870, 871, 904, 915, 918, 920, 922, 923, 924, 1028, 1029, 1031

Lowther, Hon. W., *Westmoreland*
Supply—Embassies and Missions Abroad, 1271, 1272

Lubbock, Sir J., *Maidstone*
Dental Practitioners, Comm. *cl.* 22, 1321, 1322

Lunacy Laws—Post-Mortem Examinations
Question, Mr. P. A. Taylor ; Answer, Mr. Assheton Cross *May* 27, 742

Lush, Dr. J. A., *Salisbury*
Eastern Question—Policy of the Government—Indian Contingent, 780
Poor Law—Saffron Walden Union, 1070

LUSK, Sir A., *Finsbury*
  Estimates, Discussions on the, 937
  Supply—Chancery Division of the High Court of Justice, &c. 965
    County Courts, 979
    Land Registry, 987
    Law Charges, 941, 942
    Metropolitan Fire Brigade, 1387
    Natural History Museum, Erection of, 1384
    Public Buildings, 1362
    Science and Art Department Buildings, 1381
    Stationery Office, 51, 67
    Survey of the United Kingdom, 1376
  Valuation of Property, Comm. 1639

MCARTHUR, Mr. A., *Leicester*
  South Africa, 258

MCARTHUR, Mr. Alderman W., *Lambeth*
  Army—Reserve Forces, 29
  China—Chefoo Convention, 260
  Madagascar, 261

MACARTNEY, Mr. J. W. E., *Tyrone*
  Army—Tyrone Fusiliers—Rations, 1611, 1612
  Galtee Estate, Motion for a Select Committee, 1552
  Rating of Towns (Ireland), 2R. 470, 471
  Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 119 ; *cl.* 6, 707 ; *add. cl.* 864, 867
  Tenant Right (Ireland), Comm. Motion for reporting Progress, 1032, 1326 ; Consid. Amendt. 1490, 1491

MACCARTHY, Mr. J. G., *Mallow*
  University Education (Ireland), Res. 1110

MACDONALD, Mr. A., *Stafford*
  Coal Mines—Blantyre Colliery Explosion, 28, 29
    Eddlewood Colliery Explosion, 159
  Mines Regulation Act, 1872—Haydock Colliery Accident, 1880
  Parliament—Morning Sittings, 1684
  Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 864
  Supply—Admiralty Registry of the High Court of Justice, 969, 970
    Chancery Division of the High Court of Justice, &c. 959
    County Prisons, &c. (Great Britain), 1012
    Criminal Prosecutions—Sheriffs' Expenses, &c. 946, 948, 949
    Fishery Board in Scotland, 682, 686
    Law Charges, 942
    London Bankruptcy Court, 973
    Police, Counties and Boroughs (Great Britain), 1000
    Queen's and Lord Treasurer's Remembrancer, &c. 669, 672, 674, 681
    Secret Services, 662
    Stationery Office, 62
    Woods and Forests Office, 82, 87, 90
    Works and Public Buildings, 91; Amendt. 93
  Wages Question—Sheffield Magistrates, 746

MACDUFF, Viscount, *Elgin and Nairn*
  Harbours (Scotland), 162

MAC IVER, Mr. D., *Birkenhead*
  Aberdeen District Tramways, 3R. 1597
  Military Forces of the Crown, Res. 310
  Navy Supplementary Estimate—Transport of Native Indian Troops, 808
  Parliament—Business of the House, 1615

MCKENNA, Sir J. N., *Youghal*
  Aberdeen District Tramways, 3R. Motion for Adjournment, 1598, 1600
  Acknowledgment of Deeds by Married Women (Ireland), 3R. 122
  County Infirmaries, &c. (Ireland), 2R. 859
  Criminal Code (Indictable Offences), 2R. 1672
  Dublin, Wicklow, and Wexford Railway, 2R. 15
  Endowed Schools (Ireland), Motion for a Select Committee, 1231
  Ireland—Blackwater Bridge, Youghal, 1250
  Irish Estimates, 1665
  Parliamentary Reporting, Nomination of Select Committee, 1678
  Rating of Towns (Ireland), 2R. 459, 460
  Sale of Intoxicating Liquors on Sunday (Ireland), 32 ; Comm. *cl.* 1, 115 ; *cl.* 2, Motion for reporting Progress, 121 ; *cl.* 3, 440, 442 ; *cl.* 6, 445, 708, 711, 714, 715 ; *add. cl.* 860, 865, 867, 868, 871, 874, 881, 889, 899, 904, 912 ; Motion for reporting Progress, 916, 917, 918, 919, 922, 923, 1022, 1025, 1027
  Supply—Fishery Board in Scotland, 685, 993
    Local Taxation in Scotland, &c. 815, 819
    Queen's and Lord Treasurer's Remembrancer, 679
    Secret Services, 665
  Valuation of Property, Comm. 1646
  Waterford, Dungarvan, and Lismore Railway (Extension), 2R. 142, 155

MACKINTOSH, Mr. C. F., *Inverness, &c.*
  Roads and Bridges (Scotland), Comm. *cl.* 24, 1687 ; *cl.* 50, Amendt. 1735, 1736 ; *cl.* 85, Amendt. 1894, 1895, 1899
  Supply—Fishery Board in Scotland, 682
    Post Office Packet Service, Amendt. 1670
  Under Secretaries of State, 2R. 822

MCLAGAN, Mr. P., *Linlithgowshire*
  Merchant Shipping—Dynamite, &c. 623
  Roads and Bridges (Scotland), Comm. *cl.* 15, 1204 ; *cl.* 24, 1688 ; *cl.* 41, 1718 ; *cl.* 105, 1914 ; Postponed *cl.* 54, 1936 ; *add. cl.* 1987, 1989

MCLAREN, Mr. D., *Edinburgh*
  Lunacy Commission (Scotland)—The Vacancy, 926
  Probate, Legacy, and Succession Duties, Res. 636
  Roads and Bridges (Scotland), Comm. *cl.* 12, Amendt. 1184, 1185 ; Amendt. 1189, 1192 ; *cl.* 15, 1203 ; *cl.* 17, 1213 ; *cl.* 24, 1216 ; *cl.* 29, 1692 ; *cl.* 36, 1704, 1708 ; *cl.* 41, 1713, 1717, 1719, 1720 ; *cl.* 44, 1722 ; *cl.* 45, Amendt. 1723, 1729, 1731 ; *cl.* 105, 1910, 1916, 1917 ; Amendt. 1918 ; Postponed *cl.* 54, 1934 ; *add. cl.* 1947, 1956
  Supply—Land Registry, 984, 988
    Local Taxation in Scotland, &c. 816, 819
    Reformatory, Industrial, &c. Schools, 1013
  Under Secretary of State, 2R. 821, 823

Madagascar—Importation of Spirits
Question, Mr. Alexander M'Arthur; Answer, The Chancellor of the Exchequer *May* 20, 261

MAKINS, Lieut.-Colonel W. T., *Essex, S.*
Army—Volunteer Artillery Adjutants, 359

Malta
Question, Sir George Bowyer; Answer, Sir Michael Hicks-Beach *May* 20, 263

MANNERS, Right Hon. Lord J. J. R. (Postmaster General), *Leicestershire, N.*
Post Office—Eastern Mail Service, 1887
Ireland—Case of Mr. John Daly, 1604;—Telegraphic Department—Communication with Granard, 1885
Letter Carriers, 1165
Supply—Post Office Packet Service, 1671

Marriage Preliminaries (Scotland) Bill
(*Dr. Cameron, Mr. Baxter, Mr. M'Laren, Mr. Ernest Noel, Mr. Edward Jenkins*)
c. Committee *—R.P. *June* 4 [Bill 86]

MARTEN, Mr. A. G., *Cambridge*
Parliamentary and Municipal Registration (Consolidated), Comm. *cl.* 22, 1322
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 903
Supply—Chancery Division of the High Court of Justice, 956, 962

MARTIN, Mr. P. W., *Rochester*
Public Health—Adulteration of Beer at Maidstone, 927

Matrimonial Causes Acts Amendment Bill (*The Lord Sudeley*)
l. Read 3^{a} *May* 17, 126; after short debate, Bill passed (No. 60)
Royal Assent *May* 27 [41 *Vict.* c. 19]

Medical Act, 1858, Amendment Bill
(*The Lord President*)
l. Committee; Report, after short debate *May* 24, 615 (No. 44)
Committee (*on re-comm.*) *June* 3, 1062 (No. 90)
Report * *June* 4 (No. 104)
Read 3^{a} * *June* 6
c. Read 1^{o} * (*Lord George Hamilton*) *June* 13 [Bill 216]

Medical Act (1858) Amendment (No. 2) Bill
(*Mr. Arthur Mills, Mr. Childers, Mr. Goldney*)
c. Ordered; read 1^{o} * *May* 29 [Bill 196]
2R., debate adjourned *June* 13, 1483

MELDON, Mr. C. H., *Kildare*
Acknowledgment of Deeds by Married Women (Ireland), 3R. Amendt. 123
Army Medical Officers, 23
County Infirmaries, &c. (Ireland), 2R. Amendt. 858, 859
Paris Exhibition, 1878—Assistance to English Artizans, 27
Rating of Towns (Ireland), 2R. 462
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 8, 719; *add. cl.* 907
Supply—County Courts, 978
Fishery Board in Scotland, 698, 703
Land Registry, 988
Queen's and Lord Treasurer's Remembrancer, 680

MELLOR, Mr. T. W., *Ashton-under-Lyne*
Supply—Admiralty Registry of the High Court of Justice, 969
County Courts, 976
Stationery Office, 63
Woods, Forests, &c. Office, 83
Works and Public Buildings, 93

Merchant Seamen Bill
Report of Select Comm. *May* 31 [No. 205]
Question, Mr. J. Stewart; Answer, Mr. E. Stanhope *June* 4, 1171; Questions, Captain Pim, Mr. Gourley; Answers, Viscount Sandon *June* 17, 1608

Merchant Shipping Act, 1854
Cardiff Pilots, Question, Mr. Puleston; Answer, Viscount Sandon *May* 16, 30;—*The Port of Cardiff*, Question, Mr. Puleston; Answer, Viscount Sandon *May* 28, 834
Dynamite, &c.—Detention of the "Enchanter," Question, Mr. M'Lagan; Answer, Sir Henry Selwin-Ibbetson *May* 24, 623

METROPOLIS
MISCELLANEOUS QUESTIONS
Coffee Stalls in the Streets, Question, Mr. P. A. Taylor; Answer, Mr. Assheton Cross *June* 20, 1878
Contracts for Watering the Streets, Question, Mr. Beckett-Denison; Answer, Sir James M'Garel-Hogg *May* 20, 257
Gray's Inn Road, Question, Mr. J. G. Hubbard; Answer, Mr. Assheton Cross *May* 20, 258
Parochial Charities of the City of London—The Commission, Question, Mr. Fawcett; Answer, Mr. Assheton Cross *May* 30, 926
South Kensington Museum—The National Portrait Gallery, Question, Mr. Beresford Hope; Answer, Lord George Hamilton *May* 16, 24
Street Traffic—Military Bandsmen, Question, Mr. Biggar; Answer, The Solicitor General *May* 16, 21

Metropolis—The Bethnal Green Museum
Amendt. on Committee of Supply *May* 16, To leave out from "That," and add "it is desirable to give greater facilities for admission to the Bethnal Green Museum, by extending

[*cont.*

Metropolis—The Bethnal Green Museum—cont.
the arrangements now existing on the three free days to five in the week" (*Mr. Ritchie*) *v.*, 37; Question proposed, "That the words, &c.;" after short debate, Question put, and agreed to

Metropolis Improvement Provisional Orders Confirmation (Bowman's Buildings, Marylebone, &c.) Bill [H.L.]
(*The Lord Steward*)
l. Read 2ª* *May* 27 (No. 61)
Committee*; Report *June* 4
Read 3ª* *June* 6
c. Read 1°* *June* 14 [Bill 217]

Metropolis Management and Building Acts Amendment Bill
(*The Viscount Midleton*)
l. Read 2ª, and referred to a Select Committee *May* 28, 826 (No. 72)

Metropolis Waterworks (Purchase) Bill
(*Sir James M'Garel Hogg, Sir Andrew Lusk, Mr. Grantham, Mr. Rodwell*)
c. Bill withdrawn *May* 23, 493 [Bill 58]

MIDLETON, Viscount
Metropolis Management and Building Acts Amendment, 2R. 826
Monuments (Metropolis), Comm. 1573

MILLS, Mr. A., *Exeter*
Elementary Education (New Code), Motion for an Address, 844
India—Financial Statement, 1036
Indian Troops, Cost of, Motion for a Select Committee, 760, 761
Medical Act (1858) Amendment, 2R. 1483

Mines Regulation Act, 1872—See title *Coal Mines*

Money Laws (Ireland) Bill
(*Mr. Delahunty, Mr. Power*)
c. Bill withdrawn* *May* 20 [Bill 56]

MONK, Mr. C. J., *Gloucester City*
Conway Bridge (Composition of Debt), 2R. 820
Supply—Harbours, &c. under the Board of Trade, 1385
Natural History Museum, Erection of, 1384
Queen's and Lord Treasurer's Remembrancer, 681

MONTAGU, Right Hon. Lord R., *Westmeath*
Eastern Question—Agreement between England and Russia, 1614
Military Forces of the Crown, Res. 549
University Education (Ireland), Res. 1142

Monte Video—British Cemetery at
Question, Sir H. Drummond Wolff; Answer, Mr. Bourke *June* 20, 1886

MONTGOMERY, Sir G. G., *Peeblesshire*
Harbours (Scotland), 168
Roads and Bridges (Scotland), Comm. *cl.* 12, 1194; *cl.* 15, 1202; *cl.* 16, 1205; *cl.* 17, 1212; *cl.* 24, 1686; *cl.* 41, 1718; *cl.* 105, 1910; Postponed *cl.* 54, 1931
Supply—Reformatory, Industrial, &c. Schools, 1015

Monuments Metropolis (No. 2) Bill
(*Sir James M'Garel-Hogg, Sir Charles Russell, Mr. Forsyth*)
c. Committee*; Report *May* 29 [Bill 140]
Read 3°* *May* 30
l. Read 1ª* (*Lord Brodrick*) *May* 31 (No. 100)
Read 2ª* *June* 7
Committee put off, after short debate *June* 17, 1572

MOORE, Mr. A. J., *Clonmel*
Contagious Diseases Acts Repeal, 2R. 480, 481
Galtee Estate, Motion for a Select Committee, 1546
Parliament—Business of the House, 360, 932
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 6, 712, 715
University Education (Ireland), Res. 1131

MORGAN, Mr. G. Osborne, *Denbighshire*
Military Forces of the Crown, Res. 311
Registration of Deeds (Ireland)—Report of Royal Commission, 35

MORRIS, Mr. G., *Galway*
University Education (Ireland), Res. 1130

MULHOLLAND, Mr. J., *Downpatrick*
Rating of Towns (Ireland), 2R. Amendt. 454

MUNDELLA, Mr. A. J., *Sheffield*
Galtee Estate, Motion for a Select Committee, 1556
Inland Revenue—Out-door Licences, 1884
Military Forces of the Crown—The Indian Contingent, 625
Navy Supplementary Estimate—Transport of Native Indian Troops, 806, 811
"Nineteenth Century"—The Article on "Liberty in the East and West" (Mr. Gladstone), 1069

MUNTZ, Mr. P. H., *Birmingham*
Eastern Question—Policy of the Government—Indian Contingent, 776
Election of Aldermen (Cumulative Vote), 2R. 1325
Post Office—Post Office Savings Bank, 1881
Roads and Bridges (Scotland), Comm. *cl.* 105, 1914

[*cont.*

Muntz, Mr. P. H.—*cont.*
  Supply—Chancery Division of the High Court of Justice, &c. 954
    Consular Services, 1283
    Woods, Forests, &c. Office, 88, 89
    Works and Public Buildings, 92
  Valuation of Property, 2R. 1318
  Waterford, Dungarvan, and Lismore Railway (Extension), 2R. 154

Mure, Colonel W., *Renfrew*
  Roads and Bridges (Scotland), Comm. *cl.* 12, 1196; *cl.* 15, 1199, 1201; *cl.* 17, 1211; *cl.* 85, 1896; *cl.* 105, 1913; Postponed *cl.* 54, 1922, 1930, 1932, 1937; *add. cl.* 1957, 1964, 1974
  South Africa—The Cape—Telegraphic Communication, 928

Murphy, Mr. N. D., *Cork City*
  Lunatic Asylums (Ireland)—The Governor of Limerick Asylum, 643
  Rating of Towns (Ireland), 2R. 474
  Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 3, 442; *cl.* 6, 705, 710, 713, 714; *cl.* 8, 717, 718; *add. cl.* 915, 919
  Supply—County Courts, 979

Naghten, Colonel A. R., *Winchester*
  Army—Auxiliary Forces—Militia, 1421
  Army, Retirement from the, 258
  Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 1024

Napier and Ettrick, Lord
  Military Forces of the Crown—Employment of Indian Troops, 241

Navy
  Miscellaneous Questions
  H.M.S. "Beagle"—Execution of a Native of Tanna—Judicial Powers of Naval Commanders, Questions, Mr. Gorst, Mr. Childers; Answers, Mr. W. H. Smith *May* 16, 35; Question, Dr. Kenealy; Answer, Mr. W. H. Smith *May* 24, 621; Question, Sir Charles W. Dilke; Answer, Mr. Bourke *May* 27, 740; Question, Mr. Gorst; Answer, Mr. W. H. Smith *June* 6, 1254
  H.M.S. "Eurydice," Foundering of, Question, Earl De La Warr; Answer, Lord Elphinstone *May* 21, 349; Question, Observations, Lord Dorchester; Reply, Lord Elphinstone *June* 3, 1063 (*P. P.* No. 105); Question, Earl De La Warr; Answer, Lord Elphinstone *June* 4, 1155; Question, Mr. Bates; Answer, Mr. W. H. Smith *June* 6, 1251
  Naval Courts Martial, Question, Mr. Hopwood; Answer, Mr. W. H. Smith *June* 6, 1251
  Navigating Officers, Question, Mr. Sampson Lloyd; Answer, Mr. W. H. Smith *May* 31, 1035
  Re-organization of the Dockyards—The Clerks, Question, Captain Price; Answer, Mr. W. H. Smith *June* 17, 1608
  Sailing Regulations of the Fleet, Question, Mr. Gourley; Answer, Mr. W. H. Smith *June* 20, 1879

[*cont.*

Navy—*cont.*
  The Rams of Iron-clads, Question, Sir Eardley Wilmot; Answer, Mr. A. F. Egerton *June* 4, 1168
  Widows' Pension Fund, Question, Captain Price; Answer, Mr. W. H. Smith *June* 7, 1342
  Writers in the Dockyards, Question, Mr. E. J. Reed; Answer, Mr. W. H. Smith *May* 24, 620

Newdegate, Mr. C. N., *Warwickshire, N.*
  Aberdeen District Tramways, 3R. 1591, 1602
  Eastern Question — Congress — Ministerial Statement, 1082
    Policy of the Government—Indian Contingent, 780
  Endowed Schools (Ireland), Motion for a Select Committee, 1232
  German Emperor, 1169
  Irish Estimates, 1666, 1667
  Military Forces of the Crown, Res. 415, 512, 514
  Religious Denominations (Scotland), Motion for a Select Committee, 1796
  Women's Disabilities Removal, 2R. 1866

Noel, Right Hon. G. J. (First Commissioner of Works), *Rutland*
  Ordnance Survey, 256
  Scotland—The Botanic Gardens, Edinburgh, 930
  Supply—County Court Buildings, 1373
    Houses of Parliament Buildings, 1361
    Marlborough House, 1360
    Metropolitan Police Court Buildings, 1374
    Natural History Museum, Erection of, 1383
    New Courts of Justices and Offices, 1375
    Public Buildings, 1365, 1368, 1371, 1373
    Royal Palaces, 1359
    Science and Art Department Buildings, 1379
    Survey of the United Kingdom, 1376
    Works and Public Buildings, 91, 93, 94

Noel, Mr. E., *Dumfries, &c.*
  Borneo, 358

Nolan, Major J. P., *Galway Co.*
  Army—Indo-European Troops in Malta, 746
    Siege Guns, 496
  Army Estimates—Army Reserve, 1476
    Medical Establishments and Services, 1440, 1442
    Volunteer Corps, 1466
  Endowed Schools (Ireland), Motion for a Select Committee, 1231
  Irish Estimates, 1667
  Military Forces of the Crown, Res. 599
  Parliament—Business of the House, Motion for Adjournment, 836
  Parliamentary Reporting, Motion for a Select Committee, 854; Nomination of Select Committee, 1678
  Public Health (Ireland), 496
  Queen's Colleges (Ireland)—The Estimates, 1612
  Religious Denominations (Scotland), Motion for a Select Committee, 1797
  Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 3, 444

[*cont.*

NOLAN, Major J. P.—*cont.*
Supply—Reformatory, Industrial, &c. Schools, 1014
Stationery Office, 44, 75, 76, 81
University Education (Ireland), Res. 1126
Valuation of Property, Comm. 1645

NORTH, Colonel J. S., *Oxfordshire*
Army—Auxiliary Forces—Militia, 1423

NORTHCOTE, Right Hon. Sir S. H. (*see* Chancellor of the Exchequer)

NORTON, Lord
Public Health Act (1875) Amendment, Comm. 1156

NORWOOD, Mr. C. M., *Kingston-upon-Hull*
Navy Supplementary Estimate—Transport of Native Indian Troops, 809
Supply—Chancery Division of the High Court of Justice, &c. 957
Harbours, &c. under the Board of Trade, 1385

Noxious Vapours Commission—The Report
Question, Lord Winmarleigh; Answer, Lord Aberdare *May* 17, 124

O'BEIRNE, Major F., *Leitrim*
Army—Auxiliary Forces—Militia—Fines for Drunkenness, 1605
Army—Rifled Ordnance, 626, 1075
Army Estimates—Militia, &c. 1444
Yeomanry Cavalry, 1447; Amendt. 1448
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 880
Supply—Embassies and Missions Abroad, 1268
Queen's and Lord Treasurer's Remembrancer, Amendt. 678, 679

O'BRIEN, Sir P., *King's Co.*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 883, 913, 920, 921, 922

O'CLERY, Mr. K., *Wexford Co.*
Army Estimates—Volunteer Corps, Amendt. 1449, 1455, 1456, 1457, 1461, 1473
Galtee Estate, Motion for a Select Committee, 1555
Land Taxation, Res. 1357
Parliament—Business of the House, 930
Rating of Towns (Ireland), 2R. 471
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 6, 709
Supply—Queen's and Lord Treasurer's Remembrancer, 681

O'CONOR, Mr. D. M., *Sligo Co.*
Aberdeen District Tramways, 3R. 1592, 1593

O'CONOR DON, The, *Roscommon Co.*
Endowed Schools (Ireland), Motion for a Select Committee, 1236
Martin, Mr. Wykeham, Death of, 1053
Parliament—Business of the House, 836, 932
Sale of Intoxicating Liquors on Sunday (Ireland), 32, 33; Comm. *cl.* 1, 104; *cl.* 2, 121; *cl.* 3, 438, 439, 440, 442, 443; *cl.* 4, 444; *cl.* 6, Motion for reporting Progress, 445, 446, 704, 705, 706, 710, 714; *cl.* 8, 718, 719, 720; *add. cl.* 868, 896, 910, 912, 918; Amendt. 921, 923, 924, 1021, 1028
Supply—Stationery Office, 81
University Education (Ireland), Res. 1038, 1082, 1144
Waterford, Dungarvan, and Lismore Railway (Extension), 2R. 137, 148, 154

O'DONNELL, Mr. F. H., *Dungarvan*
Army—Tyrone Fusiliers, 1342, 1610, 1611; Motion for Adjournment, *ib.*
Army (India)—31st Native Infantry, 744
Eastern Question—Policy of the Government—Indian Contingent, 801
India—Maharajah of Kuch Bahar, 1073
Troops of Native States, 1073
Irish Estimates, Motion for Adjournment, 1663
Land Taxation, Res. 1355, 1359
Military Forces of the Crown, Res. 608
"Nineteenth Century"—The Article on "Liberty in the East and West"—Mr. Hanbury's Motion, 1164
Parliament—Business of the House, 361
Roads and Bridges (Scotland), Comm. *add. cl.* 1960
Supply—Admiralty Registry of the High Court of Justice, 972
Chancery Division of the High Court of Justice, &c. Amendt. 962, 963
Colonial Local Revenue, &c. 1290, 1291; Amendt. 1298, 1305, 1307
Consular Services, 1289
Convict Establishments, 1005
Criminal Prosecutions—Sheriffs' Expenses, &c. 952
Embassies and Missions Abroad, 1278; Amendt. 1281
Law Charges, 942
Miscellaneous Charitable and other Allowances in Great Britain, Amendt. 1312
Police Courts of London and Sheerness, 990, 992, 993, 994
Queen's and Lord Treasurer's Remembrancer, &c. Amendt. 668, 669, 672, 674
Secret Services, 659, 662
Slave Trade, Suppression of, 1308
Stationery Office, 41, 42; Amendt. 49, 57, 61, 67, 68, 71
Superannuations and Retired Allowances, 1310
Woods, Forests, &c. Office, 89

O'GORMAN, Major P., *Waterford*
Acknowledgment of Deeds by Married Women (Ireland), 3R. 123
Cotton Manufactories—Riots in Lancashire, 34
Dublin, Wicklow, and Wexford Railway, 2R. 16
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 121; *cl.* 3, 443; Amendt. 444; *cl.* 4, Motion for reporting Progress, *ib.*; *cl.* 6, 704, 705, 711; Motion for report-

[*cont.*

O'Gorman, Major P.—*cont.*
  ing Progress, 715; *cl.* 8, Motion for Adjournment, 717; *add. cl.* 920; Motion for Adjournment, 924, 925, 1024
  Waterford, Dungarvan, and Lismore Railway (Extension), 2R. 149

Onslow, Mr. D. R., *Guildford*
  Parliament—Business of the House, 1615
  Racecourses (Licensing), Comm. *cl.* 6, Amendt. 1489
  Sale of Intoxicating Liquors on Sunday (Ireland), 32; Comm. *cl.* 6, 704; *add. cl.* 908, 1021; Motion for reporting Progress, 1025, 1028, 1031; Consid. Amendt. 1675

Oranmore and Browne, Lord
  Crime in Ireland, Returns, 618

Ordnance Survey
  Question, Mr. Williams Wynn; Answer, Mr. Gerard Noel *May* 20, 256

O'Shaughnessy, Mr. R., *Limerick*
  Endowed Schools (Ireland), Motion for a Select Committee, 1230
  Irish Estimates, 1663, 1668
  Lunatic Asylums (Ireland)—The Governor of Limerick Asylum, 643
  Parliament—Business of the House, 839
  Poor Law—Roman Catholic Nurses in Workhouses, 493
  Public Health (Ireland), Comm. *add. cl.* 1991, 1993
  Rating of Towns (Ireland), 2R. 448, 459, 473
  Supply—Local Taxation in Scotland, &c. 814
    Secret Services, 664
    Stationery Office, 51, 52, 79
  University Education (Ireland), Res. 1132
  Waterford, Dungarvan, and Lismore Railway (Extension), 2R. 153

O'Sullivan, Mr. W. H., *Limerick Co.*
  County Infirmaries, &c. (Ireland), 2R. Amendt. 858, 859
  Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 3, Motion for reporting Progress, 439, 440, 441, 444; *cl.* 4, *ib.*; *cl.* 5, Amendt. *ib.*; Amendt. 445; *cl.* 6, *ib.*; Motion for reporting Progress, 704, 706; Amendt. 707, 709, 713; *cl.* 8, 720; *add. cl.* 886, 888, 889, 908, 910, 914, 924; Motion for reporting Progress, 925, 1020, 1024, 1025
  Supply—Fishery Board in Scotland, 690

Paget, Mr. R. H., *Somersetshire, Mid*
  Northern Circuit—Assizes, 39

Palmer, Mr. G., *Reading*
  Women's Disabilities Removal, 2R. 1825

Paris Exhibition, The, 1878—*Assistance to English Artizans*
  Questions, Mr. Meldon; Answers, The Chancellor of the Exchequer, Mr. Lyon Playfair *May* 16, 27

Parker, Mr. C. S., *Perthshire*
  Army Supplementary Estimate for Native Indian Troops, 805
  Contagious Diseases Acts Repeal, 2R. 480, 488
  Harbours (Scotland), 168
  Religious Denominations (Scotland), Motion for a Select Committee, Amendt. 1756
  Roads and Bridges (Scotland), Comm. *cl.* 15, 1203; *cl.* 45, Amendt. 1722; *cl.* 85, Amendt. 1894; *cl.* 98, 1903; *add. cl.* 1972

Parliament
LORDS—
Private Bills
  Ordered, That the time for the Second Reading of any Private Bill brought from the House of Commons, limited by the Order of the 4th day of February last to the 11th day of June next, be extended to the 18th day of June next *May* 31
  Ordered, That Standing Orders Nos. 72 and 82 be suspended for the remainder of the Session *June* 3
  Ordered, That Standing Orders Nos. 92. and 93. be suspended; and that the time for depositing petitions praying to be heard against Private Bills, which would otherwise expire during the adjournment of the House at Whitsuntide, be extended to the first day on which the House shall sit after the recess

The Whitsuntide Recess, Observation, The Earl of Beaconsfield *May* 24, 615

COMMONS
  Controverted Elections, Election for the Southern Division of the County of Northumberland; Report of Mr. Justice Field *June* 19, 1799
  Franchise of the Reserve Men, Question, Mr. Elliot; Answer, The Attorney General *May* 24, 622
  Members for the Scottish Universities—Expenses of Election, Question, Mr. Lyon Playfair; Answer, Mr. Assheton Cross *May* 27, 739
  Privileges of Members, Observations, Dr. Kenealy; Reply, Mr. Speaker; short debate thereon *May* 24, 643
  The Derby Day—Adjournment of the House, Questions, Mr. Chaplin; Answers, The Chancellor of the Exchequer, Mr. Speaker *June* 3, 1075; Question, Sir George Campbell; Answer, Mr. Chaplin *June* 4, 1171
   Moved, "That this House will, at the rising of the House this day, adjourn till Thursday next" (*Mr. Chaplin*); after short debate, Question put; A. 225, N. 95; M. 130 (D. L. 163)
  The Franchise—Manufacture of Faggot Votes —Exeter, Question, Mr. Cole; Answer, Mr. Assheton Cross *June* 20, 1879

Private Bills
  Ordered, That Standing Order 129 be suspended, and that the time for depositing Petitions against Private Bills, or against any Bill to confirm any Provisional Order, or Provisional Certificate, be extended to Thursday next (*The Chairman of Ways and Means*) *June* 7

PARLIAMENT—COMMONS—*cont.*
Business of the House—Public Business
Arrangement of Public Business, Question, Mr. O'Clery; Observations, Mr. Butt; Reply, The Chancellor of the Exchequer; Questions, Mr. A. Moore, Mr. Eyton; Answers, The O'Conor Don, The Attorney General *May* 30, 930; Questions, Mr. Clare Read, Mr. Parnell; Answers, The Chancellor of the Exchequer *June* 3, 1074; Question, Mr. W. E. Forster; Answer, The Chancellor of the Exchequer *June* 6, 1253; Questions, Mr. Parnell, Mr. Knatchbull-Hugessen; Answers, Mr. J. Lowther, The Chancellor of the Exchequer *June* 7, 1343; Observations, The Chancellor of the Exchequer *June* 14, 1567; Questions, Mr. Chaplin, Mr. W. Holms, Mr. Onslow; Answers, The Chancellor of the Exchequer *June* 17, 1615; Question, Mr. Dillwyn; Answer, The Chancellor of the Exchequer *June* 20, 1888
Business of the House, Postponement of Motions (Military Forces of the Crown), Mr. W. Holms, Mr. A. Moore, Mr. Parnell, Mr. O'Donnell *May* 21, 360
Contagious Diseases (Animals) Bill, Question, Mr. W. E. Forster; Answer, The Chancellor of the Exchequer *May* 28, 835
Corrupt Practices Bill—Legislation, Question, Sir Charles W. Dilke; Answer, The Solicitor General *May* 16, 22; Question, Sir Charles W. Dilke; Answer, The Chancellor of the Exchequer *June* 7, 1340
County Courts Bill—Valuation Bill, Question, Mr. J. G. Hubbard; Answer, Mr. Sclater-Booth *May* 24, 625
County Government Bill, Question, Mr. Knatchbull-Hugessen; Answer, The Chancellor of the Exchequer *May* 28, 835
Liabilities of Employers and Workmen—Legislation, Question, Mr. Puleston; Answer, The Solicitor General *May* 16, 22
Scotch Business, Question, Dr. Cameron; Answer, The Chancellor of the Exchequer *May* 16, 25
University Education (Ireland), Observations, Major Nolan *May* 28, 836
The Whitsuntide Recess, Notice of Question, Mr. Dillwyn; Question, The Marquess of Hartington; Answer, The Chancellor of the Exchequer *May* 23, 498; Question, Mr. Dillwyn; Answer, The Chancellor of the Exchequer *May* 24, 620
The Whitsuntide Holidays, House, at its rising, to adjourn till Thursday next *June* 7
Morning Sittings, Observations, The Chancellor of the Exchequer *June* 18, 1684
Committees—Ascension Day, Ordered, That Committees shall not sit To-morrow, being Ascension Day, until Two of the clock, and have leave to sit until Six of the clock, notwithstanding the sitting of the House (*Sir Henry Selwin-Ibbetson*) *May* 29

Parliamentary Reporting
Moved "That a Select Committee be appointed, 'to consider the question of Parliamentary Reporting'" (*Mr. Chancellor of the Exchequer*) *May* 28, 853; Motion agreed to; Select Committee appointed, 854;—*Nomination of Select Committee,* List of the Committee; short debate thereon *June* 17, 1677

[*cont.*

Parliamentary Reporting—cont.
Sir Henry Holland, Mr. Hutchinson, Mr. Cowen, and Major Arbuthnot added (*Mr. Chancellor of the Exchequer*) *June* 20

Parliament—Public Petitions Committee
Special Report brought up, and read *May* 20, 254; Report to lie upon the Table, and to be printed [No. 188]

Parliament—Public Petitions—The Indian Press Law—Point of Order
Petition presented (*Mr. Gladstone*) *June* 18, 1681; Petition brought up, and ordered to lie upon the Table

Parliament—The "Nineteenth Century"—The Article on "Liberty in the East and West"—(Mr. Gladstone)
Notice, Mr. Hanbury *June* 3, 1069;—Mr. Hanbury's Motion, Notice of Amendment, Mr. O'Donnell *June* 4, 1164; Question, Mr. Rylands; Answer, Mr. Hanbury, 1170; Question, Observations, Sir Walter B. Barttelot; Reply, Mr. Hanbury; Observations, Mr. Gladstone *June* 17, 1616

PARLIAMENT—HOUSE OF LORDS
Sat First
May 16—The Lord Somerhill, after the death of his Father
May 21—The Lord Middleton, after the death of his Father
May 23—The Lord Clements, after the death of his Uncle
May 24—The Viscount Melville, after the death of his Brother
The Lord Grantley, after the death of his Great-Uncle
June 3—The Lord Hastings, after the death of his Father

PARLIAMENT—HOUSE OF COMMONS
New Writs Issued
June 6—*For* Southampton, *v.* The Right Hon. Russell Gurney, deceased
June 7—*For* Rochester, *v.* Philip Wykeham Martin, esquire, deceased

New Members Sworn
May 16—Viscount Lewisham, *Western Division of the County of Kent*
Benjamin Thomas Williams, esquire, *Borough of Carmarthen*
May 20—John Gilbert Talbot, esquire, *University of Oxford*
George Palmer, esquire, *Reading (Affirmation)*
May 21—Viscount Castlereagh, *County of Down*
June 17—Arthur John Otway, esquire, *Rochester*
Alfred Giles, esquire, *Southampton*

Parliamentary and Municipal Elections (Ballot Papers) Bill
(*Sir Charles W. Dilke, Sir Henry James, Mr. Mark Stewart, Major Nolan*)
c. Bill withdrawn * *May* 29 [Bill 172]

Parliamentary and Municipal Registration (Consolidated) Bill
(*Mr. Alfred Marten, Mr. Torr, Mr. Dodds*)
c. Report * *June* 3 [Bills 73-202]
Committee (*on re-comm.*) ; Report *June* 6, 1322
Read 3° * *June* 7
l. Read 1^a * (*Earl Stanhope*) *June* 17 (No. 125)

Parliamentary Electors Registration Bill
(*Mr. Boord, Sir Charles W. Dilke, Mr. Grantham*)
c. Report * *June* 3 [Bill 33]

PARNELL, Mr. C. S., *Meath*
Aberdeen District Tramways, 3R. 1600
Admiralty and War Office (Retirement of Officers), 2R. 1315
Army Estimates—Army Reserve, Amendt. 1474, 1482
Medical Establishments, &c. 1433, 1434, 1435, 1436, 1439
Militia, &c. 1445, 1446
Volunteer Corps, 1456, 1470
Estimates, Discussions on the, 933, 934, 935
Inclosure Provisional Order (Orford), Comm. Motion for Adjournment, 1659
Irish Estimates, 1659, 1661, 1662, 1665
Land Taxation, Res. 1358
Navy Supplementary Estimate—Transport of Native Indian Troops, 805
Parliament—Business of the House, 360, 361, 839, 1074, 1343
Prisoners, Treatment of, 1683
Supply—Chancery Division of the High Court of Justice, &c. 965
Colonial Local Revenue, 1301, 1302
Convict Establishments, 1001; Amendt. 1004, 1007, 1008
County Courts, 978, 979
County Prisons, &c. Great Britain, 1012
Embassies and Missions Abroad, 1282
Fishery Board in Scotland, Amendt. 691, 694, 700, 702
Local Taxation in Scotland, &c. 816
London Bankruptcy Court, 973
Police Courts of London and Sheerness, 991, 994, 996
Post Office Telegraphs, 1313
Queen's and Lord Treasurer's Remembrancer, 676, 677
Reformatory, Industrial, &c. Schools, 1014, 1016, 1017
Report, Amendt. 348
Secret Services, Amendt. 657
Stationery Office, 42, 47, 54, 55, 56, 59, 60, 63, 66, 69; Motion for reporting Progress, 70, 73, 75, 78, 80, 81; Amendt. 82
Woods, Forests, &c. Office, 84, 90
Works, Buildings, &c. 94
Valuation of Property, Comm. 1504
Waterford, Dungarvan, and Lismore Railway (Extension), 2R. Motion for Adjournment, 153, 154

PEASE, Mr. J. W., *Durham, S.*
Elementary Education (New Code), Motion for an Address, 842, 853

PEEL, Mr. A. W., *Warwick Bo.*
Aberdeen District Tramways, 3R. 1576, 1596, 1597
County Government Bill — Management of Rivers, 30

PELL, Mr. A., *Leicestershire, S.*
Army Reserves, 261
Valuation of Property, Comm. 1514

PENZANCE, Lord
Forces of the Crown in Ireland, Motion for a Return, 1333, 1338
Matrimonial Causes Acts Amendment, 3R Amendt. 126

PERKINS, Sir F., *Southampton*
Sale of Food and Drugs Act—Sale of Spirits under Proof, 743

Persia—Visit of the Shah
Question, Lord Edmond Fitzmaurice ; Answer, Mr. Bourke *May* 30, 928

Pier and Harbour Orders Confirmation (No. 1) Bill
(*Viscount Sandon, Mr. J. G. Talbot*)
c. Committee * (*on re-comm.*) ; Report *June* 3
Considered * ; read 3° *June* 4 [Bill 187]
l. Read 1^a * (*Lord Hartismere*) *June* 6 (No. 109)
Read 2^a * *June* 17

Pier and Harbour Orders Confirmation (No. 2) Bill
(*Viscount Sandon, Sir Henry Selwin-Ibbetson*)
c. Committee * ; Report *June* 3 [Bill 159]
Considered * ; read 3° *June* 4
l. Read 1^a * (*Lord Hartismere*) *June* 6 (No. 110)
Read 2^a * *June* 17

PIM, Captain B., *Gravesend*
German Navy—"Der Grosser Kürfurst," Destruction of, 1037
Merchant Seamen Bill — Select Committee, 1608
Russia, Evangelical Dissenters in, 259

PLAYFAIR, Right Hon. Mr. Lyon, *Edinburgh and St. Andrew's Universities*
Paris Exhibition, 1878—Assistance to English Artizans, 28
Parliament—Members for the Scottish Universities—Expenses of Election, 739
Post Office—United States Telegraph System, 740
Scotland—The Botanic Gardens, Edinburgh, 930
Supply—Stationery Office, 71, 81

PLUNKET, Hon. D. R., *Dublin University*
Rating of Towns (Ireland), 2R. 461
University Education (Ireland), Res. 1119

POOR LAW
MISCELLANEOUS QUESTIONS
Case of Eliza Littlehales, Question, Mr. A. H. Brown; Answer, Mr. Sclater-Booth *June* 20, 1885
Compensation Allowances to Union Officers, Question, Mr. J. R. Yorke; Answer, Mr. Sclater-Booth *June* 7, 1341
Removal of Irish Paupers—Thomas Johnson, Question, Mr. R. Power; Answer, Mr. Sclater-Booth *May* 24, 626
Roman Catholic Nurses in Workhouses, Question, Mr. O'Shaughnessy; Answer, Mr. Sclater-Booth *May* 23, 493
Saffron Walden Union, Question, Dr. Lush; Answer, Mr. Sclater-Booth *June* 3, 1070
The Dolgelly Guardians—Care of Children, Question, Mr. Wheelhouse; Answer, Mr. Sclater-Booth *June* 14, 1493

Poor Law Amendment Act (1876) Amendment Bill (*Mr. Mellor, Mr. Merewether, Sir Charles Forster, Mr. Phipps, Mr. Cowan, Mr. Hibbert*)
c. Considered * *May* 24 [Bill 134]
Read 3° * *May* 29
l. Read 1ª * (*The Earl of Shaftesbury*) *May* 31
Read 2ª, after debate *June* 6, 1240 (No. 99)

POST OFFICE
MISCELLANEOUS QUESTIONS
Eastern Mail Service—The Peninsular and Oriental Company, Question, Mr. Hopwood; Answer, Sir Henry Selwin-Ibbetson *May* 16, 25; Question, Mr. Anderson; Answer, Sir Henry Selwin-Ibbetson *June* 6, 1255; Question, Mr. Anderson; Answer, Lord John Manners *June* 20, 1887
Letter Carriers, Question, Mr. H. Brassey; Answer, Lord John Manners *June* 4, 1165
Newspaper Registration, Question, Mr. Benett-Stanford; Answer, Sir Henry Selwin-Ibbetson *June* 7, 1339
Post Office Savings Banks, Question, Mr. Muntz; Answer, The Chancellor of the Exchequer *June* 20, 1881
United States Telegraph System, Question, Mr. Lyon Playfair; Answer, Sir Henry Selwin-Ibbetson *May* 27, 740

Post Office—Dover and Calais Mail Contract
Question, Sir William Fraser; Answer, Sir Henry Selwin-Ibbetson *May* 23, 494
Moved, "That the Contract entered into between the South Eastern Railway Company and the London, Chatham, and Dover Railway Company and the Postmaster General for the conveyance of the Mails between Dover and Calais be approved" (*Sir Henry Selwin-Ibbetson*) *June* 4, 1236
Amendt. to leave out from "That," and add "this House declines to approve the said Contract until an undertaking be given by

[*cont.*

Post Office—Dover and Calais Mail Contract—cont.
the South Eastern Company and the London, Chatham, and Dover Company to provide more adequate service in their steam vessels" (*Sir William Fraser*) *v.*; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn; main Question put, and agreed to

POTTER, Mr. T. B., *Rochdale*
India—The Famine, 744

POWER, Mr. R., *Waterford*
Commissioners of National Education (Ireland)—Agricultural Model Schools, 1036
Parliament—Derby Day—Adjournment of the House, 1174, 1181
Poor Law — Removal of Irish Paupers — Thomas Johnson, 626
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 3, 441; *cl.* 8, Motion for reporting Progress, 715; *add. cl.* 1022

POWER, Mr. J. O'Connor, *Mayo*
Acknowledgment of Deeds by Married Women (Ireland), 3R. Motion for Adjournment, 122, 123
Galtee Estate, Motion for a Select Committee, 1553
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 117
Supply—Fishery Board in Scotland, 701
  Police Courts of London and Sheerness, Motion for reporting Progress, 992, 994, 995
  Queen's and Lord Treasurer's Remembrancer, 677
  Secret Services, 666, 667
  Stationery Office, 69, 71, 77, 79
University Education (Ireland), Res. 1134

POWERSCOURT, Viscount
Medical Act, 1858, Amendment, Comm. 617
Military Forces of the Crown—Employment of Indian Troops, 216

PRICE, Captain G. E., *Devonport*
Navy — Dockyards, Re-organization of—The Clerks, 1608
  Widows' Pension Fund, 1342

Prisons Act, 1877
Prisoners under the Vaccination Act, Questions, Mr. Jacob Bright, Mr. Parnell; Answers, Mr. Assheton Cross *June* 18, 1682
Rules as to Debtors, Question, Mr. E. Jenkins; Answer, Mr. Assheton Cross *May* 24, 626

Probate, Legacy, and Succession Duties
Amendt. on Committee of Supply *May* 24, To leave out from "That," and add "the present system of taxing the succession to property is partial and unjust, and, in the opinion of this House, ought to be re-adjusted" (*Mr. James Barclay*) *v.*, 627; Question proposed, "That the words, &c.;" after short debate, Question put; A. 150, N. 107; M. 43 (D. L. 146)

Provisional Orders (Ireland) Confirmation (Dungarvan, &c.) Bill [H.L.]
(*The Lord President*)
l. Committee *; Report *May* 23 (No. 65)
Read 3ª * *May* 24
c. Read 1° * (*Mr. J. Lowther*) *May* 29 [Bill 193]
Read 2° * *June* 4
Committee *; Report *June* 13
Read 3° * *June* 14

Public Baths and Washhouses Bill
(*Lord Houghton*)
l. Royal Assent *May* 27 [41 *Vict.* c. 14]

Public Health Act (1875) Amendment Bill
l. Read 1ª * (*Earl of Kimberley*) *May* 16 (No. 85)
Read 2ª, after short debate *May* 28, 825
Moved, "That the House do now resolve itself into Committee" *June* 4, 1156
Amendt. to leave out all after ("That") and insert ("the Bill be referred to a Select Committee") (*The Earl De La Warr*); after short debate, Amendt. withdrawn; original Motion agreed to; Committee

Public Health Act Amendment (Interments) Bill
(*Mr. Marten, Mr. Greene, Mr. Cole*)
c. Ordered; read 1° * *June* 17 [Bill 221]

Public Health—Adulteration of Beer at Maidstone
Question, Mr. Wykeham Martin; Answer, Mr. Sclater-Booth *May* 30, 927

Public Health (Ireland) Bill (*Sir Michael Hicks-Beach, Mr. Attorney General for Ireland*)
c. Question, Major Nolan; Answer, The Attorney General for Ireland *May* 23, 496
Committee *; Report *May* 30 [Bills 1-199]
Committee (*on re-comm.*); Report *June* 20, 1990

Public Health (Scotland) Provisional Order (Lochgelly) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
c. Read 2° * *May* 16 [Bill 171]
Committee *; Report *May* 24
Considered * *May* 27
Read 3° * *May* 29
l. Read 1ª * (*The Lord President*) *May* 31
Read 2ª * *June* 7 (No. 102)
Committee *; Report *June* 17
Read 3ª * *June* 18

Public Works Loans Bill
(*The Lord President*)
l. Read 2ª * *May* 20 (No. 81)
Committee *; Report *May* 21
Read 3ª * *May* 23
Royal Assent *May* 27 [41 *Vict.* c. 18]

Public Works Loans (Ireland) Act (1877) Amendment Bill
(*Mr. James Lowther, Sir Henry Selwin-Ibbetson*)
c. Ordered; read 1° * *June* 14 [Bill 219]
Read 2° * *June* 20

PULESTON, Mr. J. H., *Devonport*
Aberdeen District Tramways, 3R. 1598
Merchant Shipping—Cardiff Pilots, 30
Merchant Shipping Act, 1854—Port of Cardiff, 834
Parliament — Liabilities of Employers and Workmen, 22
Supply—Fishery Board in Scotland, 700

Racecourses (Licensing) Bill
(*Mr. Anderson, Sir Thomas Chambers, Sir James Lawrence*)
c. Committee *June* 4, 1239 [Bill 76]
Committee; Report *June* 13, 1483

RAIKES, Mr. H. C. (Chairman of Committees of Ways and Means), *Chester*
Aberdeen District Tramways, 3R. 1598
Army Estimates—Volunteer Corps, 14, 55, 1456
Army Supplementary Estimate for Native Indian Troops, 804
Dublin, Wicklow, and Wexford Railway, 2R. 18
Inclosure Provisional Order (Orford), 2R. 1350
Roads and Bridges (Scotland), Comm. *cl.* 15, 1203; *cl.* 17, 1210, 1211; *cl.* 36, 1701; *cl.* 44, 1722; *cl.* 49, 1734; *cl.* 83, 1893; *cl.* 105, 1910; Postponed *cl.* 54, 1939; *add. cl.* 1972, 1983, 1989, 1990
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 3, 438, 440, 443; *cl.* 6, 710, 711; *add. cl.* 871, 881, 888, 910, 920, 921, 922, 923, 1025
Supply—Chancery Division of the High Court of Justice, &c. 962, 964
  Colonial Local Revenue, &c. 1298, 1302
  Convict Establishments, 104
  Embassies and Missions Abroad, 1272
  Fishery Board in Scotland, 691, 700, 702
  Land Registry, 980
  Police Courts of London and Sheerness, 990, 991, 992, 993
  Queen's and Lord Treasurer's Remembrancer, 668, 677
  Stationery Office, 41, 42, 43, 49, 53, 54, 56, 67, 69, 70, 75, 76, 77, 78
Tenant Right (Ireland), 1327; Consid. 1490
Waterford, Dungarvan, and Lismore Railway (Extension), 2R. 146, 148

Railway Returns (Continuous Brakes) Bill
c. Read 1° * (*Mr. J. G. Talbot*) *May* 23 [Bill 185]
Read 2° * *May* 27
Committee *; Report *May* 30
Read 3° * *June* 3
l. Royal Assent *June* 17 [41 *Vict.* c. 20]

Railways
Locomotive Accident near Leeds, Question, Mr. Barran ; Answer, Mr. Assheton Cross *May* 20, 257
Railway Accidents — Death of Sir Francis Goldsmid, Member for Reading, Question, Mr. Thomson Hankey ; Answer, Viscount Sandon *June* 4, 1166

Ramsay, Mr. J., *Falkirk, &c.*
Elementary Education (New Code), Motion for an Address, 849
Roads and Bridges (Scotland), 1075 ; Comm. *cl.* 12, 1185 ; Amendt. 1189, 1190, 1195 ; *cl.* 15, 1199 ; *cl.* 16, 1205 ; *cl.* 17, 1212 ; *cl.* 18, Amendt. 1214, 1215 ; *cl.* 24, 1216 ; *cl.* 29, 1690, 1693, 1694 ; *cl.* 33, 1696, 1698 ; *cl.* 35, Amendt. 1699 ; *cl.* 36, 1707, 1708 ; *cl.* 41, 1714, 1716 ; *cl.* 44, Amendt. 1721 ; *cl.* 45, 1729, 1730 ; *cl.* 49, 1733, 1734 ; *cl.* 78, Amendt. 1891 ; *cl.* 79, Amendt. 1892 ; *cl.* 83, Amendt. 1893 ; *cl.* 85, 1897 ; *cl.* 97, 1901 ; *cl.* 98, Amendt. 1902, 1903 ; *cl.* 102, 1904 ; *cl.* 104, Amendt. 1906, 1907 ; *cl.* 105, 1909, 1912, 1916, 1919 ; Postponed *cl.* 54, 1922, 1933 ; *add. cl.* 1952 ; Amendt. 1962, 1965, 1969, 1982, 1983, 1986, 1988, 1989, 1990
Supply—Broadmoor Criminal Lunatic Asylum, 1018, 1019
Chancery Division of the High Court of Justice, &c. 963, 966, 967
Fishery Board in Scotland, 689, 697
Land Registry, 986
Local Taxation in Scotland, &c. 814, 815, 817, 818
Lunacy Commission, Scotland, 812, 813
Police, Counties and Boroughs (Great Britain), 1000
Queen's and Lord Treasurer's Remembrancer, 679
Reformatory, Industrial, &c. Schools, 1013, 1014
Woods and Forests Office, 89
Valuation of Property, Comm. 1508

Rathbone, Mr. W., *Liverpool*
Endowed Schools Commissioners—Educational Endowments, 1603

Rating of Towns (Ireland) Bill [Bill 8]
(*Mr. O'Shaughnessy, Mr. Butt, Mr. Collins*)
c. Moved, "That the Bill be now read 2°" *May* 22, 448
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Mulholland*); Question proposed, "That 'now,' &c. ;" after debate, Question put ; A. 177, N. 224 ; M. 47 (D. L. 144)
Words added ; main Question, as amended, put, and agreed to ; 2R. put off for six months

Read, Mr. Clare S., *Norfolk, S.*
Highways, Comm. 1345
Parliament—Public Business, 1074
Valuation of Property, Comm. Amendt. 1500, 1522, 1527

Redesdale, Earl of (Chairman of Committees)
Contagious Diseases (Animals), 125
Eastern Question—Congress, Negotiations for, 721
Monuments (Metropolis), Comm. 1572
Poor Law Amendment Act (1876) Amendment, 2R. 1242

Reed, Mr. E. J., *Pembroke*
Navy—Writers in the Dockyards, 620
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 881

Ribblesdale, Lord
Army Reserve—Allowances to Families of Reserve Men, Address for Correspondence, 7

Richmond and Gordon, Duke of (Lord President of the Council)
Conservancy Boards, 1163
Contagious Diseases (Animals), 125 ; Re-comm. 350, 351 ; *cl.* 26, 723 ; *cl.* 33, 732 ; *cl.* 78, 738 ; Report of Amendts. 828
Crime in Ireland, Returns, 618
Eastern Question—Alleged Agreement between England and Russia, 1569, 1570, 1572
Medical Act, 1858, Amendment, Comm. 615 ; Re-comm. *cl.* 3, Amendt. 1062 ; *cl.* 12, Amendt. 1063
Poor Law Amendment Act (1876) Amendment, 2R. 1241
Public Health Act (1875) Amendment, 2R. 825 ; Comm. *cl.* 2, 1159

Ridley, Sir M. W. (Under Secretary of State for the Home Department), *Northumberland, N.*
Inclosure Provisional Order (Orford), 2R. 1348
Supreme Court of Judicature Act, 1873, 23

Ripon, Marquess of
Conservancy Boards, 1162
Contagious Diseases (Animals), 125 ; Re-comm. *cl.* 26, 723 ; *cl.* 33, Amendt. 725 ; Report of Amendts. 827
Medical Act, 1858, Amendment, Comm. 617 ; Re-comm. *cl.* 3, Amendt. 1062 ; *cl.* 4, Amendt. *ib.*

Ritchie, Mr. C. T., *Tower Hamlets*
Bethnal Green Museum, Res. 36, 37
Military Forces of the Crown, Res. 315, 333
Valuation of Property, Comm. 1523

Roads and Bridges Scotland Bill
(*The Lord Advocate, Sir Henry Selwin-Ibbetson*)
c. Question, Mr. Ramsay ; Answer, The Chancellor of the Exchequer *June* 3, 1075 ; Observation, Sir George Campbell, 1083
Committee—R.P. *June* 4, 1182 [Bill 4]
Committee—R.P. *June* 18, 1685
Committee ; Report *June* 20, 1888 [Bill 224]

Rodwell, Mr. B. B. H., *Cambridgeshire*
Valuation of Property, Comm. 1510
Waterford, Dungarvan, and Lismore Railway (Extension), 2R. 140, 142

ROEBUCK, Mr. J. A., *Sheffield*
Military Forces of the Crown, Res. 522

Russell, Earl, The late
Question, Observations, Earl Granville; Reply, The Earl of Beaconsfield *May* 31, 1033; Observations, The Chancellor of the Exchequer, The Marquess of Hartington *June* 3, 1084

Russia
Purchase and Equipment of Privateers, Question, Mr. Gourley; Answer, The Attorney General *May* 21, 357
Religious Persecutions—The Evangelical Dissenters, Question, Captain Pim; Answer, The Chancellor of the Exchequer *May* 20, 259

RUTLAND, Duke of
Military Forces of the Crown—Employment of Indian Troops, 242

RYLANDS, Mr. P., *Burnley*
Eastern Question—Policy of the Government —Indian Contingent, 762
Highways, Comm. 1345
Inclosure Provisional Order (Orford), 2R. 1350
Indian Troops, Cost of, Motion for a Select Committee, 757
Military and Naval Expenditure, 254
"Nineteenth Century"—Article on "Liberty in the East and West" (Mr. Gladstone)—Mr. Hanbury's Motion, 1170
Supply—Chancery Division of the High Court of Justice, &c. 952, 958
  Consular Services, 1285
  Convict Establishments, 1007
  County Prisons, &c. (Great Britain), 1009
  Criminal Prosecutions—Sheriffs' Expenses, &c. 949
  Embassies and Missions Abroad, 1259, 1280
  Land Registry, 987
  Law Charges, 942
  Metropolitan Police Court Buildings, 1373
  Public Buildings, 1365, 1371
Treaties of 1856 and 1871, Res. 1391, 1416
Valuation of Property, Comm. 1626

Sale of Food and Drugs Act, 1875
Adulteration of Beer at Maidstone, Question, Mr. Wykeham Martin; Answer, Mr. Sclater-Booth *May* 30, 927
Sale of Spirits under Proof, Question, Sir Frederick Perkins; Answer, Mr. Sclater-Booth *May* 27, 743
Violet Powder, Question, Sir Edward Watkin; Answer, Mr. Assheton Cross *June* 3, 1072

Sale of Intoxicating Liquors on Sunday Bill (*Mr. Charles Wilson, Mr. Birley, Mr. Osborne Morgan, Mr. M'Arthur, Mr. James*)
c. Bill withdrawn * *May* 28 [Bill 5]

Sale of Intoxicating Liquors on Sunday (Ireland) Bill (*The O'Conor Don, Mr. Richard Smyth, Mr. Charles Lewis, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Dickson, Mr. Redmond*)
c. Question, The O'Conor Don; Answer, The Chancellor of the Exchequer; Questions, Mr. Onslow, Sir Joseph M'Kenna; Answers, The O'Conor Don *May* 16, 32
Committee—R.P. *May* 16, 95 [Bill 44]
Committee—R.P. *May* 21, 438
Committee—R.P. *May* 24, 703
Committee—R.P. *May* 29, 860
Committee; Report *May* 30, 1020
After short debate, Consideration, as amended, deferred *June* 17, 1675

SALISBURY, Marquess of (Secretary of State for Foreign Affairs)
Contagious Diseases (Animals), Re-comm. *cl.* 33, 734
Eastern Question—Miscellaneous Questions
  Alleged Agreement between England and Russia, 1061
  Armenians, 1243
  Congress, Negotiations for, 721
  Ministerial Statement, 1055, 1056
  Treaty of San Stefano, 1248
Emperor of Germany, Attempted Assassination of, 1060
Public Health Act (1875) Amendment, 2R. 826; Comm. 1158

SAMUELSON, Mr. H. B., *Frome*
Army Estimates—Volunteer Corps, 1465
Parliament—Privileges of Members, 656
Turkey—Murder of Mr. Ogle, 25, 1561, 1612, 1613

SANDON, Right Hon. Viscount (President of the Board of Trade), *Liverpool*
Aberdeen District Tramways, 3R. 1601
Merchant Seamen Bill—Select Committee, 1609
Merchant Shipping—Cardiff Pilots, 31
Merchant Shipping Act, 1854—Port of Cardiff, 834
Railway Accidents—Death of Sir Francis Goldsmid, 1166
Supply—Harbours, &c. under the Board of Trade, 1385, 1386
  Report, 1153
Tramways—Use of Mechanical Power, 747, 1606

SANDWICH, Earl of
Conservancy Boards, 1163

SCLATER-BOOTH, Right Hon. G. (President of the Local Government Board), *Hampshire, N.*
Army Reserves, 262
County Government Bill — Management of Rivers, 30

[*cont.*

SCLATER-BOOTH, Right Hon. G.—*cont.*
  Highways, Comm. 1345 ; *cl.* 26, Amendt. 1346; *add. cl. ib.*
  Parliament—Public Business, 625
  Poor Law—Miscellaneous Questions
    Compensation Allowances to Union Officers, 1341
    Dolgelly Guardians—Care of Children, 1493
    Eliza Littlehales, Case of, 1885
    Irish Paupers, Removal of—Thomas Johnson, 627
    Roman Catholic Nurses in Workhouses, 494
    Saffron Walden Union, 1070
  Public Health—Adulteration of Beer at Maidstone, 927
  Sale of Food and Drugs Act—Sale of Spirits under Proof, 743
  Supply—Criminal Prosecutions—Sheriffs' Expenses, &c. 951
  Valuation of Property, 2R. 1316 ; Comm. Motion for Adjournment, 1494, 1508, 1512, 1524, 1634

SCOTLAND
  MISCELLANEOUS QUESTIONS
  Church of Scotland—Opening of the General Assembly, Question, Sir George Campbell; Answer, Mr. Assheton Cross *May* 30, 927
  Grocers' Licences (*Scotland*), Question, Sir Robert Anstruther ; Answer, Mr. Assheton Cross *May* 20, 261
  Harbours (*Scotland*), Question, Observations, Viscount Macduff; Reply, Sir Henry Selwin-Ibbetson ; short debate thereon *May* 17, 162
  Lunacy Commission (*Scotland*)—*The Vacancy*, Question, Mr. M'Laren ; Answer, The Lord Advocate *May* 30, 926
  Office of Lord Clerk Register, Question, Sir George Campbell ; Answer, Mr. Assheton Cross *June* 20, 1883
  Police Superannuation Fund (*Scotland*), Question, Mr. J. Stewart ; Answer, The Lord Advocate *May* 23, 497
  Sale of Food and Drugs Act, 1875—*Scotland*, Question, Mr. W. Holms ; Answer, The Lord Advocate *May* 23, 495
  The Botanic Gardens, Edinburgh, Question, Mr. Lyon Playfair ; Answer, Mr. Gerard Noel *May* 30, 930
  The Solway Commissioners, Question, Mr. Percy Wyndham ; Answer, Mr. Assheton Cross *May* 20, 262

Scotland—Religious Denominations—Patronage Act, 1874
  Moved, "That a Select Committee be appointed to inquire into the operation of the Patronage Act of 1874, and its effect upon the reciprocal relations of the various religious denominations in Scotland, and to ascertain how far the people of Scotland are in favour of maintaining the connection between Church and State in that Country" (*Mr. William Holms*) *June* 18, 1738
  Amendt. "That a Select Committee be appointed to inquire into the present relations of the Established Church with the other Churches in Scotland, and with the people at large, and in particular to inquire how far

[*cont.*

Scotland—Religious Denominations—Patronage Act, 1874—cont.
  the Church Patronage Act of 1874 has tended to remove the causes of disunion and dissatisfaction among the Presbyterians of Scotland, and what further legislation would most conduce to that end" (*Mr. C. S. Parker*)
  The Amendt., not being seconded, could not be put
  Amendt. to leave out from "That," and add "an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to appoint a Commission to inquire into the causes which keep asunder the Presbyterians of Scotland, with a view to the removal of any impediments which may exist to their re-union in a National Church, as established at the Reformation, and ratified by the Revolution Settlement and the Act of Union" (*Sir Alexander Gordon*) *v.*; Question proposed, "That the words, &c.;" after debate, Moved, "That the Debate be now adjourned" (*Mr. Dillwyn*); after further short debate, Question put, and agreed to ; Debate adjourned

SELBORNE, Lord
  Bills of Sale, 2R. 827
  Military Forces of the Crown—Employment of Indian Troops, 187, 218, 226

SELWIN-IBBETSON, Sir H. J. (Secretary to the Treasury), *Essex, W.*
  Admiralty and War Office (Retirement of Officers), 2R. 1313, 1314
  Admiralty and War Office Re-organization—Clerks of Royal Engineer Department, 1037
  Board of Works—Report of the Commission, 1882
  Conway Bridge (Composition of Debt), 2R. 820
  Dover and Calais Mail Contract, 495 ; Res. 1238
  Epping Forest, Leave, 854 ; 2R. 1622
  Harbours (Scotland), 165
  Merchant Shipping—Dynamite, &c. 623
  Post Office—Miscellaneous Questions
    Mail Contracts, 25
    Mail Service—Peninsular and Oriental Company, 1255
    Newspaper Registration, 1339
    United States Telegraph System, 741
  Probate, Legacy, and Succession Duties, Res. 639
  Racecourses (Licensing), Comm. *cl.* 1, 1485 ; *cl.* 6, 1488, 1489
  Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 6, 705 ; *cl.* 8, 718
  Supply—Chancery Division of the High Court of Justice, &c. 961, 965, 966, 967
    Convict Establishments, &c. 1006, 1007
    County Courts, 979
    County Prisons, &c. (Great Britain), 1012
    Criminal Prosecutions—Sheriffs' Expenses, &c. 946, 948, 949
    Fishery Board in Scotland, 684, 688, 697
    Government Property, Rates on, 1386
    Harbours, &c. under the Board of Trade, 1385
    Law Charges, 941, 942

[*cont.*

Selwin-Ibbetson, Sir H. J.—*cont.*
    - Local Taxation in Scotland, &c. 814, 815, 816, 817
    - London Bankruptcy Court, 973
    - Lunacy Commission (Scotland), 813
    - Metropolitan Fire Brigade, 1387
    - Metropolitan Police, 996
    - Miscellaneous, Charitable, and other Allowances (Great Britain), 1312
    - Natural History Museum, Erection of, 1383
    - Pauper Lunatics, England, 1311
    - Police Counties and Boroughs (Great Britain), 997, 998, 1000
    - Police Courts of London and Sheerness, 994, 996
    - Post Office Telegraphs, 1313
    - Public Buildings, 1363, 1368
    - Queen's and Lord Treasurer's Remembrancer, 668, 672, 673, 676, 678
    - Queen's Bench, &c. 968, 969, 971, 972
    - Reformatory, Industrial, &c. Schools, 1013, 1015, 1016, 1017, 1018
    - Report, 1387
    - Science and Art Department Buildings, 1381
    - Secret Services, 665, 666
    - Slave Trade, Suppression of, 1308
    - Stationery Office, 50, 56, 59, 63, 70
    - Superannuations and Retired Allowances, 1309, 1310, 1311
    - Woods, Forests, &c. Office, 83, 86, 87, 88, 89
    - Works and Public Buildings, 94
- Tramways Orders Confirmation, Comm. 1316

Shaftesbury, Earl of
- Eastern Question—Congress—Armenians, 1242
- Factories and Workshops, 3R. 1
- Poor Law Amendment Act (1876) Amendment, 2R. 1240

Shaw, Mr. W., *Cork Co.*
- Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 8, 717 ; *add. cl.* 894, 925, 1028, 1030, 1031

Sherlock, Mr. Serjeant D., *King's Co.*
- Women's Disabilities Removal, 2R. 1835

Shute, Major-General C. C., *Brighton*
- Army—Regimental Lieutenant Colonels, 26
- Army Estimates—Volunteer Corps, 1471
- Military Forces of the Crown, Res. 544, 545, 546

Simon, Mr. Serjeant J., *Dewsbury*
- Currency—Small Silver Coinage, 1683
- Spain—" Octavia " and the " Lark," 1883
- Straits Settlements—Perak Expedition Allowances, 359

Sinclair, Sir J. G. T., *Caithness-shire*
- Roads and Bridges (Scotland), Comm. Postponed *cl.* 54, 1936, 1938

Smith, Right Hon. W. H. (First Lord of the Admiralty), *Westminster*
- Admiralty and War Office (Retirement of Officers), 2R. 1314
- Contagious Diseases Acts Repeal, 2R. 488
- German Navy—" Der Grosser Kurfürst," Destruction of, 1038
- Military Forces of the Crown—The Indian Contingent, 625
- Navy—Miscellaneous Questions
    - Dockyards Re-organization—The Clerks, 1608
    - H.M.S. " Beagle "—Execution of a Native of Tanna—Judicial Powers of Naval Commanders, 35, 621, 1254
    - H.M.S. " Eurydice," 1251
    - Naval Courts Martial, 1251
    - Navigating Officers, 1036
    - Sailing Regulations of the Fleet, 1879
    - Widows' Pension Fund, 1342
    - Writers in the Dockyards, 620
- Navy Supplementary Estimate—Transport of Native Indian Troops, 805, 810
- Supply—Chancery Division of the High Court of Justice, &c. 958
    - Criminal Prosecutions—Sheriffs' Expenses, &c. 950
- Turkey—British Fleet in the Sea of Marmora, 1256

Smith, Mr. T. E., *Tynemouth, &c.*
- Aberdeen District Tramways, 3R. 1594

Smollett, Mr. P. B., *Cambridge*
- Madras Harbour, 24
- Women's Disabilities Removal, 2R. 1826

Smyth, Mr. R., *Londonderry Co.*
- Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 2, 122 ; *cl.* 6, 709 ; *add. cl.* 866, 915

Smyth, Mr. P. J., *Westmeath Co.*
- Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 8, 719, 720 ; *add. cl.* 880, 882, 912, 913

Solicitor General, The (Sir H. S. Giffard), *Launceston*
- Military Forces of the Crown, Res. 561
- Parliament—Corrupt Practices, 22
    - Liabilities of Employers and Workmen, 22
- Street Traffic—Military Bandsmen, 21
- Supply—Chancery Division of the High Court of Justice, &c. 964
    - Queen's Bench, &c. 969

Somerset, Duke of
- Contagious Diseases (Animals), 125 ; Re-comm. *cl.* 26, Amendt. 722
- Eastern Question—Congress, Negotiations for, 722
- Public Health Act (1875) Amendment, Comm. *cl.* 2, Amendt. 1160

Spain—The " Octavia " and the " Lark "
- Question, Mr. Serjeant Simon ; Answer, Mr. Bourke *June* 20, 1883

SPEAKER, The (Right Hon. H. B. W. BRAND), *Cambridgeshire*
Aberdeen District Tramways, 3R. 1598, 1602
Acknowledgment of Deeds by Married Women (Ireland), 3R. 123
Army—Tyrone Fusiliers—Rations, 1611, 1612
Contagious Diseases Acts Repeal, 2R. 478, 480, 481
Controverted Elections, 1799
Cotton Manufactories—Riots in Lancashire, 35
County Infirmaries, &c. (Ireland), 2R. 858, 859
Eastern Question — Congress — Ministerial Statement, 1079
Estimates, Discussions on the, 934
Indian Troops, Cost of, Motion for a Select Committee, 759, 760
Irish Estimates, 1661, 1662, 1663, 1665, 1669
Martin, Mr. Wykeham, Death of, 1052
Military Forces of the Crown, Res. 291, 309, 512, 515, 544, 546, 573
"Nineteenth Century"—Article on "Liberty in the East and West" (Mr. Gladstone)—Mr. Hanbury's Motion, 1069, 1617
Parliament—Miscellaneous Questions
  Business of the House, 360, 841
  Derby Day—Adjournment of the House, 1076
  Privileges of Members, 651
  Public Petitions—Indian Press Law, 1682
Rating of Towns (Ireland), 2R. 459
Sale of Intoxicating Liquors on Sunday (Ireland), Consid. 1675
Supply, Report, 348, 1388
Valuation of Property, Comm. 1527, 1624

SPENCER, Earl
Contagious Diseases (Animals), Re-comm. *cl.* 78, 738

STACPOOLE, Mr. W., *Ennis*
Racecourses (Licensing), Comm. Motion for reporting Progress, 1239
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 114 ; *add. cl.* 871, 902 ; Motion for reporting Progress, 922, 924
Waterford, Dungarvan, and Lismore Railway (Extension), 2R. 153

STANHOPE, Hon. E. (Under Secretary of State for India), *Lincolnshire, Mid*
Army—India—31st Native Infantry, 745
  Indo-European Troops in Malta, 746
Eastern Question—Policy of the Government—Indian Contingent, 775
India—Miscellaneous Questions
  Ecclesiastical Salaries, 27
  Famine, The, 744
  Financial Statement, 1037
  Indian Army, 1166
  Jowaki Afreedis Expedition, 1605
  Madras Harbour, 24
  Maharajah of Kuch Bahar, 1073
  Native Indian Forces—Terms of Service, 498
  Troops of Native States, 1073
  Vernacular Press Act—The Press Commissioner, 1071

[*cont.*

STANHOPE, Hon. E.—*cont.*
Merchant Seamen, Report of Committee, 1171
Military Forces of the Crown—Indian Contingent, 24, 623
Military Forces of the Crown, Res. 339
Straits Settlements—Perak Expedition—Expenses, 1254, 1390

STANLEY, Hon. Colonel F. A. (Secretary of State for War), *Lancashire, N.*
Admiralty and War Office (Retirement of Officers), 2R. 1315
Army—Miscellaneous Questions
  Army Medical Officers, 23
  Colonel Wellesley, 1072
  India—Retiring Captains, 742
  Indian Service, 1391
  Medical Service, 1881
  Regimental Lieutenant Colonels, 26
  Reserve Forces, 30 ;—Pensions and Good Conduct Pay, 1389
  Retirement, 258
Army—Auxiliary Forces—Miscellaneous Questions
  Fines for Drunkenness, 1605
  Militia, 1426
  Northampton Militia, 1344
  Tyrone Fusiliers, 1342, 1610
  Volunteer Artillery Adjutants, 359
  Yeomanry Sergeant Majors, 1607
Army Estimates—Army Reserve, 1479, 1482
  Medical Establishments and Services, 1433, 1434, 1435, 1437, 1442, 1444
  Militia, &c. Pay and Allowances, 1445, 1446, 1447
  Volunteer Corps, 1467, 1469
  Yeomanry Cavalry, Pay and Allowances, 1447
Army Supplementary Estimate for Native Indian Troops, 802, 805
Diplomatic Appointments—Colonel Wellesley, Military Attaché, Res. 174, 177
Indian Troops, Cost of, Motion for a Select Committee, 752
Physical Competition for the Army, 1606
South Africa—Kaffir War—Officers on Special Service, 1390
Straits Settlements—Perak Expedition Allowances, 359

Statute Law Revision Bill [H.L.]
(*The Lord Chancellor*)
l. Presented ; read 1ª * *June* 17 (No. 114)

Statute Law Revision (Ireland) Bill
(*Mr. Attorney General for Ireland, Mr. James Lowther*)
c. Read 2º * *June* 6 [Bill 122]

STEVENSON, Mr. J. C., *South Shields*
Supply, Report, 1152

STEWART, Mr. J., *Greenock*
Religious Denominations (Scotland), Motion for a Select Committee, 1752

STEWART, Mr. M. J., *Wigton Bo.*
Education (Scotland), 745
Merchant Seamen, Report of Committee, 1171
Police Superannuation Fund (Scotland), 497
Roads and Bridges (Scotland), Comm. *cl.* 12, 1183, 1186; *cl.* 13, Amendt. 1196; *cl.* 17, 1210, 1211; Amendt. 1213; *cl.* 24, 1687; *cl.* 29, Amendt. 1690, 1693; *cl.* 33, 1696; *cl.* 36, 1704; *cl.* 43, Amendt. 1721; *cl.* 45, 1731; *cl.* 49, Amendt. *ib.*; *cl.* 97, 1901; *cl.* 98, 1902, 1903; *cl.* 102, Amendt. 1904; *cl.* 105, 1910; Postponed *cl.* 54, 1921, 1925; *add. cl.* Amendt. 1972, 1974
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 8, 719
Supply—Local Taxation in Scotland, &c. 818
  Queen's and Lord Treasurer's Remembrancer, 680

STORER, Mr. G., *Nottinghamshire, S.*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 1, 119
Supply—Stationery Office, 81
Valuation of Property, Comm. 1646

Straits Settlements—The Perak Expedition
Allowances, Question, Mr. Serjeant Simon; Answer, Colonel Stanley *May* 21, 359
Pay of the Indian Troops, Question, Sir George Campbell; Answer, Mr. E. Stanhope *June* 13, 1390
The British Residents, Questions, Sir Charles W. Dilke, Sir George Campbell; Answers, Sir Michael Hicks-Beach *June* 7, 1354
The Expenses, Question, Sir Charles W. Dilke; Answer, Mr. E. Stanhope *June* 6, 1254

SULLIVAN, Mr. A. M., *Louth Co.*
Dublin, Wicklow, and Wexford Railway, 2R. 17
Galtee Estate, Motion for a Select Committee, 1551
Parliament—Derby Day—Adjournment of the House, 1180, 1181
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 3, 441, 443; *cl.* 4, 444; *cl.* 6, 447, 714; *cl.* 8, 716, 717, 718, 719; *add. cl.* 882, 909; Amendt. 916, 918, 920, 921, 1030
Supply—Convict Establishments, 1007
  Fishery Board in Scotland, 701
  Police Courts of London and Sheerness, 993, 995
  Reformatory, Industrial, &c. Schools, 1014
  Stationery Office, 60, 77, 80
University Education (Ireland), Res. 1147

SUPPLY

MISCELLANEOUS QUESTIONS
Discussions on the Estimates, Observations, Mr. Dillwyn; short debate thereon *May* 30, 933
The Irish Estimates, Observations, Mr. Parnell *June* 17, 1659

SUPPLY
Considered in Committee *May* 16, 41—CIVIL SERVICE ESTIMATES — CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS
Resolutions reported *May* 20, 348
First Resolution read a second time

[*cont.*

Supply—cont.
Amendt. to leave out "376,545," and insert "£105,545" (*Mr. Parnell*) *v.*; Question put, "That '£376,545' stand part of the said Resolution;" A. 115, N. 13; M. 102 (D. L. 142); Resolution agreed to
Subsequent Resolutions agreed to
Considered in Committee *May* 23 (£1,500,000) EXCHEQUER BONDS — Resolution reported *May* 24
Considered in Committee *May* 24, 657—CIVIL SERVICE ESTIMATES — CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS—Resolutions reported *May* 24
Considered in Committee *May* 27, 802—ARMY SUPPLEMENTARY ESTIMATE FOR NATIVE INDIAN TROOPS—NAVY SUPPLEMENTARY ESTIMATE—CIVIL SERVICE ESTIMATES—CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS —Resolutions reported *May* 28
Considered in Committee *May* 30, 938—CIVIL SERVICES AND REVENUE DEPARTMENTS—FURTHER VOTE ON ACCOUNT (£2,040,710) — CLASS III.—LAW AND JUSTICE—Resolutions reported *June* 3, 1152
Considered in Committee *June* 6, 1258—CIVIL SERVICE ESTIMATES — CLASS V.— COLONIAL, CONSULAR, AND OTHER FOREIGN SERVICES—CLASS VI.—SUPERANNUATION AND RETIRED ALLOWANCES, AND GRATUITIES FOR CHARITABLE AND OTHER PURPOSES—CLASS VII.—MISCELLANEOUS, SPECIAL, AND TEMPORARY OBJECTS —REVENUE DEPARTMENTS
Resolutions reported *June* 7, 1387
First Twenty-two Resolutions agreed to
After short debate, further Proceeding adjourned
Further Proceeding resumed *June* 17, 1669
Twenty-third Resolution read a second time
Motion mande, and Question proposed, "That a sum, not exceeding £580,045, be granted for the Post Office Packet Service"
Amendt. to leave out "£580,045," and insert "£579,785" (*Mr. Fraser-Mackintosh*); Question proposed, "That £580,045 stand part of the Resolution;" Amendt. withdrawn
Original Question put, and agreed to
Subsequent Resolution agreed to
Considered in Committee *June* 7, 1359—CIVIL SERVICE ESTIMATES — CLASS I. — PUBLIC WORKS AND BUILDINGS—Resolutions reported *June* 13
Considered in Committee *June* 13, 1433—ARMY ESTIMATES—Resolutions reported *June* 14

Supreme Court of Judicature (Ireland) Act (1877) Amendment Bill
(*Mr. Attorney General for Ireland, Mr. James Lowther*)
c. Ordered; read 1°* *June* 19 [Bill 223]

SWANSTON, Mr. A., *Bandon*
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 873

SYNAN, Mr. E. J., *Limerick Co.*
Military Forces of the Crown, Res. 547
University Education (Ireland), Res. 1124
Waterford, Dungarvan, and Lismore Railway (Extension), 2R. 149

TAYLOR, Mr. P. A., *Leicester Bo.*
Criminal Law—Thomas Griffiths, Case of, 832
Grantham County Court—Margaret Carroll, Case of, 833
Lunatic Asylums—Post-Mortem Examinations, 742
Metropolis—Coffee Stalls in the Streets, 1878
Teachers and School Returns, 27

Telegraphs Bill (*The Lord Chancellor*)
l. Read 2ª *May* 31, 1034 (No. 77)
Order for Committee discharged; Bill referred to a Select Committee *June* 3
Select Committee nominated; List of the Committee *June* 6, 1249

TEMPLE, Right Hon. W. F. COWPER-, *Hants, S.*
Epping Forest, 2R. 1623

Tenant Right (Ireland) Bill
(*Lord Hill-Trevor, The Marquess of Hamilton, Mr. Mulholland, Captain Corry, Mr. Chaine*)
c. Committee *—R.P. *May* 24 [Bill 31]
Committee—R.P. *May* 30, 1032
Committee; Report *June* 6, 1325
Moved, "That the Bill be now considered" *June* 13, 1490
Amendt. to leave out "now," and add "upon Monday next" (*Mr. Macartney*); Question proposed "That 'now,' &c.;" after short debate, Question put, and negatived; words added
Considered; debate adjourned *June* 19

TORRENS, Mr. W. T. M., *Finsbury*
Supply—Law Charges, 943

Tramways (Ireland) Acts Amendment Bill (*Mr. Collins, The Marquess of Hamilton, Mr. Shaw, Mr. William Wilson*)
c. Read 2º * *June* 6 [Bill 47]

Tramways Orders Confirmation (No. 1) Bill (*Mr. J. G. Talbot, Viscount Sandon*)
c. Committee; Report *June* 6, 1316 [Bill 194]
Committee * (*on re-comm.*); Report *June* 17
Considered * *June* 18 [Bill 207]
Read 3º * *June* 20

Tramways Orders Confirmation (No. 2) Bill (*Mr. J. G. Talbot, Viscount Sandon*)
c. Committee * (*on re-comm.*); Report *June* 6
Considered * read 3º *June* 7 [Bill 198]
l. Read 1ª * (*Lord Hartismere*) *June* 17 (No. 122)
Read 2ª * *June* 18

Tramways Orders Confirmation (No. 3) Bill (*Mr. J. G. Talbot, Viscount Sandon*)
c. Committee * (*on re-comm.*); Report *June* 6 [Bill 195]
Committee * (*on re-comm.*); Report *June* 17
Read 3º * *June* 18 [Bill 208]
l. Read 1ª * (*Lord Hartismere*) *June* 20 (No. 128)

Tramways (Use of Mechanical Power)
Question, Mr. Wheelhouse; Answer, Viscount Sandon *May* 27, 747; Question, Colonel Beaumont; Answer, Viscount Sandon *June* 17, 1606

Treaties of 1856 *and* 1871
Amendt. on Committee of Supply *June* 13, To leave out from "That," and add "in the opinion of this House, all future Treaties between this Country and Foreign Powers under which this Country is engaged, separately or in conjunction with any other Power, to interfere by force of arms, or by armed demonstration, or by the contribution of any military contingent or pecuniary subsidy, to attack or defend any Government or Nation with reference to its internal arrangements or foreign relations, or on any other contingency whatsoever, ought to be laid upon the Table of both Houses of Parliament before being ratified, in order that an opportunity may be afforded to both Houses of expressing their opinion upon the provisions of such Treaties" (*Mr. Rylands*) *v.*, 1391; Question proposed, "That the words, &c.;" after short debate, Question put, and agreed to

TREVELYAN, Mr. G. O., *Hawick, &c.*
Roads and Bridges (Scotland), Comm. *cl.* 12, Amendt. 1193, 1194, 1196

TREVOR, Lord A. E. HILL-, *Downshire*
Tenant Right (Ireland), Comm. *cl.* 2, Amendt. 1325, 1326; Consid. 1490

Truro Bishopric Bill [H.L.]
(*The Lord Bishop of London*)
l. Presented; read 1ª * *May* 31 (No. 103)
Bill withdrawn * *June* 17

Truro Chapter Bill [H.L.]
(*The Lord Bishop of Exeter*)
l. Presented; read 1ª * *June* 17 (No. 112)
Read 2ª *June* 20, 1875

TURKEY
LORDS
The Eastern Question
Negotiations for a Congress, Question, Viscount Cardwell; Answer, The Marquess of Salisbury; Observations, The Earl of Redesdale *May* 27, 721

The Congress
Acceptance by the Powers, Ministerial Statement, The Marquess of Salisbury; Observations, Earl Granville; Reply, The Earl of Beaconsfield; short debate thereon *June* 3, 1055
The Armenian Christians, Question, Observations, The Earl of Shaftesbury; Reply, The Marquess of Salisbury; short debate thereon *June* 6, 1242

[*cont.*

Turkey—Lords—cont.

The Treaty of San Stefano, Question, Observations, Earl De La Warr; Reply, The Marquess of Salisbury; Observations, The Earl of Harrowby *June* 6, 1247

Alleged Agreement between England and Russia, Question, Earl Grey, Answer, The Marquess of Salisbury *June* 3, 1061; Question, Observations, Earl Granville; Reply, The Duke of Richmond and Gordon; short debate thereon *June* 17, 1569

Turkey

COMMONS

The Eastern Question

Negotiations for a Congress, Question, The Marquess of Hartington; Answer, The Chancellor of the Exchequer *May* 27, 748

Policy of the Government—The Indian Contingent, Observations, Mr. Rylands; debate thereon *May* 27, 762

Alleged Agreement between England and Russia, Question, Mr. W. H. James; Answer, The Chancellor of the Exchequer *June* 14, 1493; Questions, The Marquess of Hartington, Lord Robert Montagu; Answers, The Chancellor of the Exchequer *June* 17, 1614

The Congress—The Armenians, Notice, Sir John Kennaway *June* 3, 1068;—*The English Representatives—The Armenians*, Questions, Mr. Hayter, Sir John Kennaway; Answers, The Chancellor of the Exchequer, Mr. Bourke *June* 4, 1167

The Congress—Acceptance by the Powers, Ministerial Statement, The Chancellor of the Exchequer *June* 3, 1076

The Congress—Representation of Greece, Questions, Sir Charles W. Dilke; Answers, The Chancellor of the Exchequer *June* 3, 1082; *June* 4, 1168

The Berlin Congress—The Correspondence, Questions, Mr. Dillwyn, Mr. W. E. Forster, Mr. Hayter; Answers, The Chancellor of the Exchequer *June* 6, 1252

Miscellaneous Questions (*General*)

Crete, Question, Mr. Evelyn Ashley; Answer, The Chancellor of the Exchequer *May* 20, 255

Murder of Mr. Ogle, Question, Mr. H. Samuelson; Answer, The Chancellor of the Exchequer *May* 16, 25; Question, Mr. H. Samuelson; Answer, Mr. Bourke *June* 3, 1083; Observations, Mr. H. Samuelson; Reply, The Chancellor of the Exchequer *June* 14, 1561; Question, Mr. H. Samuelson; Answer, The Chancellor of the Exchequer; Observations, Mr. Bourke *June* 17, 1612

The British Fleet in the Sea of Marmora, Question, Sir John Hay; Answer, Mr. W. H. Smith *June* 6, 1256

The Turkish Loan of 1855, Questions, Mr. Dodson; Answers, The Chancellor of the Exchequer *May* 30, 929

Under Secretaries of State Bill (*Mr. Secretary Cross, The Lord Advocate*)

c. Ordered; read 1°* *May* 16 [Bill 181]

Read 2°, after short debate *May* 27, 821

United States—Treaty of Washington—The Twenty-Second Article—Award of the Fisheries Commissioners

Question, Mr. Gourley; Answer, The Chancellor of the Exchequer *June* 14, 1492

Valuation of Lands (Scotland) Amendment Bill (*Sir Windham Anstruther, Mr. Campbell-Bannerman, Sir Edward Colebrooke, Sir Graham Montgomery, Mr. Ramsay*)

c. Committee*; Report *June* 4 [Bills 124-205]

Valuation of Property Bill [Bill 94]

(*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer, Mr. Salt*)

c. Read 2°, after short debate *June* 6, 1316

Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *June* 14, 1494

Amendt. to leave out from "That," and add "no re-adjustment of the system of assessment will be complete or satisfactory to ratepayers until a representative County Board is established, with power of hearing appeals on questions of value, and for securing uniformity of assessment" (*Mr. Clare Read*) *v.*; Question proposed, "That the words, &c.;" after debate, Debate adjourned

Adjourned Debate resumed *June* 17, 1624; after debate, Question put; A. 131, N. 107; M. 24 (D. L. 174)

After further debate, main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee—r.p.

Vivian, Mr. H. Hussey, *Glamorganshire*

Aberdeen District Tramways, 3R. 1584, 1592

Military Forces of the Crown—Indian Contingent, 496

Voters (Ireland) (No. 2) Bill (*Sir Joseph M'Kenna, Mr. Butt, Mr. Brooks, Mr. Sullivan*)

c. Bill withdrawn* *May* 22 [Bill 65]

Waddy, Mr. S. D., *Barnstaple*

Military Forces of the Crown, Res. 532

Military Forces of the Crown—The Indian Contingent, 623

Supreme Court of Judicature Act, 1873, 22

Wallasey Tramways Bill (*by Order*)

c. Read 3°* *June* 17

Ward, Dr. M. F., *Galway*

Endowed Schools (Ireland), Motion for a Select Committee, 1230

Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *cl.* 6, 446

Watch Cases (Hall Marking) Bill [Bill 128]
(*Sir Henry Jackson, Mr. Eaton, Sir Andrew Lusk, Mr. Torr, Mr. Torrens*)
c. Read 2° *, and referred to Select Committee on Gold and Silver (Hall Marking)

Waterford, Dungarvan, and Lismore Railway (Extension) Bill (Lords) (by Order)
c. Moved, "That the Bill be now read 2°" *May* 17, 128
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Delahunty*; Question proposed, "That 'now,' &c.;" after debate, Moved, "That the Debate be now adjourned" (*Mr. Parnell*); after further short debate, Motion withdrawn; after further short debate, Question put; A. 222, N. 76; M. 146 (D. L. 140)
Main Question put, and agreed to; Bill read 2°

Waterlow, Sir S. H., *Maidstone*
Tenant Right (Ireland), Comm. 1032

Watkin, Sir E. W., *Hythe*
Inland Revenue—Brewers' Licence Tax, 1340
Sale of Food and Drugs Act, 1875—Violet Powder, 1072

Waveney, Lord
Army—Auxiliary Forces—Militia Artillery, 1061
Army Reserve—Allowances to Families of Reserve Men, Address for Correspondence, 10

WAYS AND MEANS
Miscellaneous Questions
Inland Revenue—Brewers' Licence Tax, Question, Sir Edward Watkin; Answer, The Chancellor of the Exchequer *June* 7, 1340
Out-Door Licences, Question, Mr. Mundella; Answer, Mr. Assheton Cross *June* 20, 1884
The Customs Department—Appointment of Sir Charles Du Cane, Question, Mr. Baxter; Answer, The Chancellor of the Exchequer *June* 20, 1887

WAYS AND MEANS
Considered in Committee *May* 23
(1.) Resolved, That, towards raising the supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorised to raise any sum of money, not exceeding £1,500,000, by an issue of Exchequer Bonds
(2.) Resolved, That the Principal of all Exchequer Bonds which may be so issued shall be paid off at par, at any period not exceeding three years from the date of such Bonds
(3.) Resolved, That the Interest of such Exchequer Bonds shall be payable half-yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof

Ways and Means—*cont.*
(4.) Resolved, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1879, the sum of £6,500,000 be granted out of the Consolidated Fund of the United Kingdom
Resolutions reported *May* 24
Considered in Committee *May* 29
Resolved, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1879, the sum of £1,000,000 be granted out of the Consolidated Fund of the United Kingdom
Resolution reported, and agreed to *May* 30
Instruction to the Committee on the Consolidated Fund (No. 3) Bill, That they have power to make provision therein pursuant to the said Resolution

Weights and Measures Bill
(*Mr. Edward Stanhope, Sir Charles Adderley, Mr. Attorney General*)
c. Committee (*on re-comm.*) deferred, after short debate *June* 17, 1673 [Bill 143]

Wellesley, Hon. Colonel—Military Attaché at Vienna—See title *Diplomatic Service*

Wheelhouse, Mr. W. St. James, *Leeds*
Election of Aldermen (Cumulative Vote), 2R. 1323
Poor Law—Dolgelly Guardians—Care of Children, 1493
Rating of Towns (Ireland), 2R. 464
Sale of Intoxicating Liquors on Sunday (Ireland), Comm. *add. cl.* 876
Supply—Chancery Division of the High Court of Justice, &c. 954
  County Courts, 975
  Land Registry, 986
  Police Courts of London and Sheerness, 989
Tramways—Use of Mechanical Power, 747

Whitbread, Mr. S., *Bedford*
Parliament—Privileges of Members, 654

Whitwell, Mr. J., *Kendal*
Parliamentary Reporting, Nomination of Select Committee, 1677
Supply—Chancery Division of the High Court of Justice, &c. 963
  Consular Services, 1287, 1289
  Convict Establishments, 1006
  County Prisons, &c. (Great Britain), 1011
  Criminal Prosecutions—Sheriffs' Expenses, &c. 945
  Embassies and Missions Abroad, 1280
  Land Registry, Amendt. 980, 988
  Police, Counties and Boroughs (Great Britain), 996
  Police Courts of London and Sheerness, 990

[*cont.*

[*cont.*

Whitwell, Mr. J.—*cont.*
  Queen's and Lord Treasurer's Remembrancer, 671
  Queen's Bench, &c. 968
  Woods, Forests, &c. Office, 89, 92
 Valuation of Property, Comm. 1634

Williams, Mr. B. T., *Carmarthen*
 Criminal Code (Indictable Offences), 1881
 Valuation of Property, Comm. 1498

Williams, Mr. W., *Denbigh, &c.*
 Supply—Chancery Division of the High Court of Justice, &c. 955

Wilmot, Sir J. E., *Warwickshire, S.*
 Navy—Rams of Iron-clads, 1168
 Northern Circuit—Assizes, 39
 Supply—Consular Services, 1283, 1286

Winmarleigh, Lord
 Factories and Workshops, 3R. 3
 Noxious Vapours Commission, Report, 124

Wolff, Sir H. D., *Christchurch*
 Military Forces of the Crown—Indian Contingent, 625
 Military Forces of the Crown, Res. 573
 Racecourses (Licensing), Comm. *cl.* 1, 1486; *cl.* 6, Motion for reporting Progress, 1488; Amendt. *ib.*; Preamble, 1489
 South America—British Cemetery at Monte Video, 1886
 Supply—Embassies and Missions Abroad, 1265
  Stationery Office, 42
  Woods, Forests, &c. Office, 86, 88

Women's Disabilities Removal Bill
(*Mr. Courtney, Mr. Russell Gurney, Mr. Stansfeld, Mr. Jacob Bright*) [Bill 12]
c. Moved, "That the Bill be now read 2°" *June* 19, 1800
 Amendt. to leave out "now," and add "upon this day three months" (*Mr. Hanbury*); Question proposed, "That 'now,' &c.;" after long debate, Question put; A. 140, N. 220; M. 80
  Div. List, A. and N. 1872
 Words added; main Question, as amended, put, and agreed to; 2R. put off for three months

Wyndham, Hon. P. S., *Cumberland, W.*
 Northern Circuit—Assizes, 38
 Solway Commissioners, 262

Wynn, Mr. C. W. W., *Montgomeryshire*
 Law and Justice—Assizes and Quarter Sessions, 1604
 Ordnance Survey, 256

Yeaman, Mr. J., *Dundee*
 Roads and Bridges (Scotland), Comm. *cl.* 33, 1697
 Supply—Fishery Board in Scotland, 693

Yorke, Mr. J. R., *Gloucestershire, E.*
 Poor Law—Compensation Allowances to Union Officers, 1341
 Valuation of Property, Comm. 1504, 1624

Young, Mr. A. W., *Helston*
 Dental Practitioners, Comm. *cl.* 22, Amendt. 1319, 1321

ERRATA.

Page 983, lines 30 and 31 from top, *for* "Denbigh Boroughs (Mr. Watkin Williams)," *read* "Denbigh (Mr. Osborne Morgan)."
Line 11 from bottom, *for* "the Denbigh Boroughs," *read* "Denbigh."

END OF VOLUME CCXL., AND FOURTH VOLUME OF
SESSION 1878.

LONDON: CORNELIUS BUCK, 22, PATERNOSTER ROW, E.C.

ξ